Vol. XXXVII

Council Proceedings

Official Report

Bengal Legislative Council

Thirty-seventh Session, 1931

20th to 24th, 27th, 29th to 31st July, 3rd and 4th August, 1931

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency Colonel the Right Hon'ble Sir FRANCIS STANLEY JACKSON, P.C., G.C.I.E.

MEMBERS OF THE EXECUTIVE COUNCIL.

The Hon'ble Mr. A. MARR, C.I.E., I.C.S., in charge of the following portfolios:—

1. Finance.
2. Separate Revenue.
3. Commerce and Industrial subjects.
4. Marine.
5. European Education.

The Hon'ble Sir PROVASH CHUNDER MITTER, KT., C.I.E., in charge of the following portfolios:—

1. Land Revenue.
2. Land Acquisition.
3. Excluded Areas.
4. Jails.
5. Legislative.

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1. Emigration.
2. Immigration.
3. Jurisdiction.
4. Haj Pilgrimage.
5. Forests.
6. Irrigation.

The Hon'ble Mr. W. D. R. PRENTICE, C.S.I., C.I.E., I.C.S., in charge of the following portfolios:—

1. Appointment.
2. Political, excluding Haj Pilgrimage.
3. Police.
4. Ecclesiastical.
5. Regulation of medical and other professional qualifications and standards, subject to legislation by the Indian Legislature.
6. Judicial.
7. Hazaribagh Reformatory School.

MINISTERS.

The Hon'ble Khan Bahadur K. G. M. FAROQUI, in charge of the following portfolios:—

1. Agriculture and Industries (excluding Excise).
2. Public Works.

The Hon'ble Mr. KHWAJA NAZIMUDDIN, C.I.E., in charge of the following portfolios:—

1. Education.
2. Registration.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY, in charge of the following portfolios:—

1. Local Self-Government.
2. Excise.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE COUNCIL.

PRESIDENT.

The Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh.

DEPUTY PRESIDENT.

Mr. RAZAUR RAHMAN KHAN, B.L.

Panel of Chairmen for the Thirty-seventh Session.

1. Sir LANCELOT TRAVERS, KT., C.I.E., O.B.E.
2. Mr. A. F. RAHMAN.
3. Mr. B. C. CHATTERJEE, Bar.-at-Law.
4. Mr. SYAMAPROSAD MOOKERJEE, Bar.-at-Law.

Secretary to the Council—J. BARTLEY, I.C.S.

Assistant Secretaries to the Council—A. M. HUTCHISON and K. N. MAJUMDAR.

Registrar to the Council—J. W. McKAY, I.S.O.

BENGAL LEGISLATIVE COUNCIL.

ALPHABETICAL LIST OF MEMBERS.

A

Ali, Maulvi Hassan. [Dinajpur (Muhammadan).]
Ali, Maulvi Syed Nausher. [Jessore South (Muhammadan).]
Ali, Mr. Altaf. [Bogra (Muhammadan).]
Armstrong, Mr. W. L. [Presidency and Burdwan (European).]
Austin, Mr. J. M. (Bengal Chamber of Commerce.)

B

Baksh, Maulvi Shaik Rahim. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Baksh, Maulvi Syed Majid. [Jessore North (Muhammadan).]
Bal, Babu Lalit Kumar. [Bakarganj South (Non-Muhammadan).]
Bal, Mr. Sarat Chandra. [Faridpur South (Non-Muhammadan).]
Ballabh, Rai Bahadur Debendra Nath. [24-Parganas Rural North (Non-Muhammadan).]
Banerji, Mr. P. [24-Parganas Rural South (Non-Muhammadan).]
Banerji, Rai Bahadur Keshab Chandra. [Dacca Rural (Non-Muhammadan).]
Bannerjee, Babu Jitendralal. [Birbhum (Non-Muhammadan).]
Barma, Rai Sahib Panchanan, M.B.E. [Rangpur West (Non-Muhammadan).]
Basir Uddin, Maulvi Mohammed. [Rajshahi North (Muhammadan).]
Basu, Babu Jatindra Nath. [Calcutta North (Non-Muhammadan).]
Basu, Mr. Narendra Kumar. [Nadia (Non-Muhammadan).]
Birkmyre, Mr. H. (Bengal Chamber of Commerce.)
Blandy, Mr. E. N. (Nominated Official.)
Bose, Mr. S. M., Bar.-at-Law. [Calcutta East (Non-Muhammadan).]
Bottomley, Mr. J. M. (Nominated Official.)
Bural, Babu Gokul Chand. [Calcutta South Central (Non-Muhammadan).]

C

Chatterjee, Mr. B. C., Bar.-at-Law. [Bakarganj North (Non-Muhammadan).]
Chaudhuri, Babu Kishori Mohan. [Rajshahi (Non-Muhammadan).]
Chaudhuri, Dr. Jogendra Chandra. [Bogra *cum* Pabna (Non-Muhammadan).]

Chaudhuri, Khan Bahadur Maulvi Alimuzzaman. [Faridpur North (Muhammadan).]
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman. (Nominated Non-official.)
Chaudhuri, Maulvi Syed Osman Haider. [Tippera North (Muhammadan).]
Choudhury, Maulvi Nural Absar. [Chittagong North (Muhammadan).]
Chowdhury, Haji Badi Ahmed. [Chittagong South (Muhammadan).]
Chowdhury, Maulvi Abdul Ghani, B.L. [Dacca West Rural (Muhammadan).]
Clark, Mr. I. A. (Indian Mining Association.)
Cohen, Mr. D. J. (Nominated Non-official.)
Coppinger, Major General W. V., C.I.E., D.S.O., M.D., F.R.C.S.I., I.M.S. (Nominated Official.)
Cooper, Mr. C. G. (Indian Jute Mills Association.)

D

Dain, Mr. G. R., C.I.E. (Bengal Chamber of Commerce.)
Das, Babu Satyendra Kumar. [Dacca City (Non-Muhammadan).]
Das, Rai Bahadur Kamini Kumar, M.B.E. [Chittagong (Non-Muhammadan).]
Dash, Mr. A. J. (Nominated Official.)
Dutt, Rai Bahadur Dr. Haridhan. [Calcutta Central (Non-Muhammadan).]

E

Eusufji, Maulvi Nur Rahman Khan. [Mymensingh South-West (Muhammadan).]

F

Faroqui, the Hon'ble Khan Bahadur K. G. M. [Minister.] [Tippera South (Muhammadan).]
Fawcus, Mr. L. R. (Nominated Official.)
Faslullah, Maulvi Muhammad. [Noakhali West (Muhammadan).]
Forrester, Mr. J. Campbell. [Presidency and Burdwan (European).]

G

Gangali, Rai Bahadur Susil Kumar. (Nominated Official.)
Ghose, Dr. Amulya Ratan. [Howrah Municipal (Non-Muhammadan).]
Ghose, Rai Bahadur Sasonka Comar, C.I.E. (Dacca University.)
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim, KT. (Member, Executive Council.)

Gilchrist, Mr. R. N. (Nominated Official.)
Goenka, Rai Bahadur Badridas, C.I.E. (Bengal Marwari Association.)
Guha, Babu Profulla Kumar. [24-Parganas Municipal North (Non-Muhammadan).]
Guha, Mr. P. N. (Nominated Non-official.)
Gupta, Mr. J. N., C.I.E., M.B.E. [Bankura West (Non-Muhammadan).]
Gurner, Mr. C. W. (Nominated Official.)

H

Hakim, Maulvi Abdul. [Mymensingh Central (Muhammadan).]
Haque, Khan Bahadur Maulvi Azizul. [Nadia (Muhammadan).]
Hashemy, Maulvi Syed Jalaluddin. [Khulna (Muhammadan).]
Higgins, Mr. R. (Expert, Nominated.)
Hoque, Kazi Emdadul. [Rangpur East (Muhammadan).]
Hosain, Nawab Musharruf, Khan Bahadur. [Malda *cum* Jalpaiguri (Muhammadan).]
Hossain, Maulvi Muhammad. [Bakarganj North (Muhammadan).]
Huq, Mr. A. K. Fazl-ul. [Bakarganj West (Muhammadan).]
Hussain, Maulvi Latafat. (Nominated Non-official.)

K

Karim, Maulvi Abdul. [Burdwan Division South (Muhammadan).]
Kasem, Maulvi Abul. [Burdwan Division North (Muhammadan).]
Kerr, Mr. W. J. (Nominated Official.)
Khan, Maulvi Amin-uz-Zaman. (Nominated Official.)
Khan, Khan Sahib Maulvi Muazzam Ali. [Pabna (Muhammadan).]
Khan, Maulvi Tamizuddin. [Faridpur South (Muhammadan).]
*Khan, Mr. Razaur Rahman, B.L. [Dacca East Rural (Muhammadan).]

L

Lal Muhammad, Haji. [Rajshahi South (Muhammadan).]
Law, Mr. Surendra Nath. (Bengal National Chamber of Commerce.)
Luke, Mr. N. R. (Indian Jute Mills Association.)

M

Macalister, Mr. A. S. (Indian Tea Association.)
Maguire, Mr. L. T. (Anglo-Indian.)
Maiti, Mr. R. [Midnapore South (Non-Muhammadan).]
Marr, the Hon'ble Mr. A., C.I.E. (Member, Executive Council.)

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* Deputy President, Bengal Legislative Council.

McCluskie, Mr. E. T. (Anglo-Indian.)
Miller, Mr. C. C. (Bengal Chamber of Commerce.)
Mittra, Babu Sarat Chandra. [24-Parganas Rural Central (Non-Muhammadan).]
Mitter, Mr. S. C. (Expert, Nominated.)
Mitter, the Hon'ble Sir Provash Chunder, KT., C.I.E. (Member, Executive Council.)
Momin, Khan Bahadur Muhammad Abdul. [Noakhali East (Muhammadan).]
Mookerjee, Mr. Syamaprosad, Bar.-at-Law. (Calcutta University.)
Mukherji, Rai Bahadur Satish Chandra. [Hooghly Rural (Non-Muhammadan).]
Mukhopadhaya, Rai Sahib Sarat Chandra. [Midnapore South-East (Non-Muhammadan).]
Mullick, Mr. Mukunda Behary. (Nominated Non-official.)

N

Nag, Babu Suk Lal. [Khulna (Non-Muhammadan).]
Nag, Reverend B. A. (Nominated Non-official.)
Nandy, Maharaja Sris Chandra, of Kassimbazar. (Bengal National Chamber of Commerce.)
Nazimuddin, the Hon'ble Mr. Khwaja, C.I.E. [Minister.] [Bakarganj South (Muhammadan).]
Nelson, Mr. J. W. (Nominated Official.)
Norton, Mr. H. R. (Calcutta Trades Association.)

O

Ormond, Mr. E. C. [Presidency and Burdwan (European).]

P

Philpot, Mr. H. C. V. (Nominated Official.)
Poddar, Mr. Ananda Mohan. (Bengal Mahajan Sabha.)
Poddar, Seth Hunuman Prosad. [Calcutta West (Non-Muhammadan).]
Prentice, the Hon'ble Mr. W. D. R., C.S.I., C.I.E. (Member, Executive Council.)

R

Raheem, Mr. A., C.I.E. [Calcutta North (Muhammadan).]
Rahman, Maulvi Azizur. [Mymensingh North-West (Muhammadan).]
Rahman, Mr. A. F. [Rangpur West (Muhammadan).]

Rahman, Mr. A. F. M. Abdur. [24-Parganas Rural (Muhammadan).]
Raikat, Mr. Prosanna Deb. [Jalpaiguri (Non-Muhammadan).]
Rai Mahasai, Munindra Deb. [Hooghly Municipal (Non-Muhammadan).]
Ray, Babu Amulyadhan. [Jessore South (Non-Muhammadan).]
Ray, Babu Khetter Mohan. [Tippera (Non-Muhammadan).]
Ray, Babu Nagendra Narayan, B.L. [Rangpur East (Non-Muhammadan).]
Ray, Kumar Shib Shekhareswar. (Rajshahi Landholders.)
Ray, Maharaja Jagadish Nath, of Dinajpur. [Dinajpur (Non-Muhammadan).]
Ray, Mr. Shanti Shekhareswar, M.A. [Malda (Non-Muhammadan).]
Ray Chaudhuri, Mr. K. C. (Nominated Non-official.)
*Ray Chaudhuri, the Hon'ble Raja Sir Manmatha Nath, KT., of Santosh. (Dacca Landholders.)
Ray Chowdhury, Babu Satish Chandra. [Mymensingh East (Non-Muhammadan).]
Reid, Mr. R. N., C.I.E. (Nominated Official.)
Rout, Babu Hoseni. [Midnapore North (Non-Muhammadan).]
Roy, Babu Haribansa. [Howrah Rural (Non-Muhammadan).]
Roy, Babu Jitendra Nath. [Jessore North (Non-Muhammadan).]
Roy, Babu Satyendra Nath. [24-Parganas Municipal South (Non-Muhammadan).]
Roy, Mr. Saileswar Singh. [Burdwan North (Non-Muhammadan).]
Roy, Mr. Sarat Kumar. (Presidency Landholders.)
Roy, the Hon'ble Mr. Bijoy Prasad Singh. [Minister.] [Burdwan South (Non-Muhammadan).]
Roy Choudhuri, Babu Hem Chandra. [Noakhali (Non-Muhammadan).]

S

Saadatullah, Maulvi Muhammad. [24-Parganas Municipal (Muhammadan).]
Sahana, Babu Satya Kinkar. [Bankura East (Non-Muhammadan).]
Salauddin, Mr. Khwaja. [Dacca City (Muhammadan).]
Samad, Maulvi Abdus. [Murshidabad (Muhammadan).]
Sarkar, Sir Jadunath, KT., C.I.E. (Nominated Non-official.)
Sarker, Rai Sahib Rebati Mohan. (Nominated Non-official.)
Sen Gupta, Dr. Naresh Chandra. [Mymensingh West (Non-Muhammadan).]
Sen, Rai Sahib Akshoy Kumar. [Faridpur North (Non-Muhammadan).]
Shah, Maulvi Abdul Hamid. [Mymensingh East (Muhammadan).]

* President of the Bengal Legislative Council.

Singha, Mr. Arun Chandra. (Chittagong Landholders.)
Singh, Srijut Taj Bahadur. [Murshidabad (Non-Muhammadan).]
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur. (Burdwan Landholders.)
Sircar, Dr. Sir Nilratan, KT., M.D. [Calcutta South (Non-Muhammadan).]
Solaiman, Maulvi Muhammad. [Barrackpore Municipal (Muhammadan).]
Stronach, Mr. K. F. G. [Dacca and Chittagong (European).]
Suhrawardy, Mr. H. S. [Calcutta South (Muhammadan).]
Sumner, Mr. C. R. (Bengal Chamber of Commerce.)
Swan, Mr. J. A. L., C.I.E. (Expert, Nominated.)

T

Travers, Sir Lancelot, KT., C.I.E., O.B.E. [Rajshahi (European).]

W

Weston, Mr. A. T. (Expert, Nominated.)
Wordsworth, Mr. W. C. (Bengal Chamber of Commerce.)

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report of the Thirty-seventh Session.)

Volume XXXVII.

roceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Monday, the 20th July, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 106 nominated and elected members.

Oaths or affirmations.

The following members made an oath or affirmation of their allegiance to the Crown:—

Mr. W. J. Kerr.
Mr. J. W. Nelson.
Mr. J. M. Bottomley.
Mr. A. T. Weston.
Mr. S. C. Mitter.
Mr. R. Higgins.
Maulvi Amin-uz-Zaman Khan.
Babu Amulyadhan Ray.
Khan Bahadur Muhammad Abdul Momin.
Mr. H. Birkmyre.
Mr. A. S. Macalister.
Mr. J. M. Austin.

Mr. PRESIDENT: I am very glad to find the Hon'ble Sir Abdelkerim Ghuznavi in his seat again after a long absence from Bengal. I am sure his many friends in this House will be delighted to find him here after his long arduous and eventful tour in Western countries.

Obituary References.

Mr. PRESIDENT: Gentlemen of the Council, it was during the last session in February and March that Khan Sahib Maulvi Bazlul Huq was with us in this House taking part in our deliberations. The House will hear with deep regret that on the night of Saturday, the 30th May last, while on a visit to his sick daughter, the Khan Sahib fell a victim to the fell disease cholera in his daughter's house in a village in Feni. The Khan Sahib was elected by the Noakhali East (Muhammadan) Constituency of this Council in the last general election in 1929. He was a pleader, Chairman of the Feni Local Board and President of the Feni Union Board besides being an Honorary Magistrate and a member of a number of public institutions. The title of Khan Sahib was conferred on him in 1918.

I propose, with your leave, gentlemen, to send a letter of condolence to the relatives of the late Khan Sahib.

I would now ask you, gentlemen, to signify your assent by kindly rising in your places.

[All the members then rose in their places.]

Mr. PRESIDENT: Thank you, gentlemen. The Secretary will please take the usual action.

Panel of Chairmen.

Mr. PRESIDENT: In accordance with the provisions of rule 3 of the Bengal Legislative Council Rules, 1920, I nominate the following members of the Council to form a panel of four Chairmen for the ensuing session :—

(*1*) Sir Lancelot Travers, KT., C.I.E., O.B.E.

(*2*) Mr. A. F. Rahman.

(*3*) Mr. B. C. Chatterjee, Bar.-at-Law.

(*4*) Mr. Syamaprosad Mookerjee, Bar.-at-Law.

Unless otherwise arranged, the senior member among them present in the above order will preside over the deliberations of this Council in my absence and in the absence of the Deputy President.

Reporting of [illegible]

Maulvi SYED MAJID BAKSH: I wrote to you, Sir, a letter putting a question about the reporters and reporting in this House. At the last session there were many replies reported as "inaudible at the

Reporters' Gallery," and the report itself had many blanks, which were also reported as "inaudible." Will you please let us know what action you propose to take in this matter?

Mr. PRESIDENT: You must have got a reply to your letter from the office and you must have come to know the reasons as to why your question could not be admitted. In any case, you may rest assured that I am very carefully watching the operations of the reporters.

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Starred Questions
(to which oral answers were given).

Rate for passage fares over the inland steam-vessels.

*1. **Mr. S. M. BOSE:** (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state whether under section 54A of the Inland Steam-Vessels Act, 1917, any maximum or minimum rate for passage fare has been prescribed on inland steam-vessels plying in Bengal?

(*b*) If the answer to (*a*) is in the affirmative, over what inland waterways in Bengal has such a rate been prescribed?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) Not so far as the Local Government are aware.

(*b*) Does not arise.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member be pleased to state whether Government has received any information that there has been a certain amount of friction between these steamer companies?

The Hon'ble Mr. A. MARR: Yes.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member be pleased to state whether any action is contemplated in this matter?

The Hon'ble Mr. A. MARR: The matter is under consideration.

Survey and Settlement operations in Rangpur.

*2. **Kazi EMDADUL HOQUE:** (*a*) Is the Hon'ble Member in charge of the Revenue Department aware that the *jotedars* (tenure-holders) of Baharbund under the Kasimbazar Raj Wards' estate in the

district of Rangpur held several meetings at various places in the month of May, 1931, within the subdivisions of Kurigram and Gaibandha, passed resolutions urging the Government to postpone the ensuing survey operations in the district, in view of the present widespread and acute economic distress of the people in general, until the conditions become normal, and sent copies of the resolutions to the Hon'ble Member and other authorities?

(*b*) If the answer to (*a*) is in the affirmative, what action, if any, do the Government contemplate taking in the matter?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) Yes.

(*b*) Government had already considered the matter and had decided that there was no reason to postpone the survey and settlement operations in Rangpur.

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that the economic condition of Rangpur is very distressing?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes, in parts.

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that in the area where settlement operations are being carried on, it is considerable?

The Hon'ble Sir PROVASH CHUNDER MITTER: So far as we know, in the bulk of the area where settlement operations are being carried on, the conditions are not so distressing.

Advisory Committees for the inland steam-vessel companies.

***3. Maulvi MUHAMMAD HOSSAIN:** (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state whether any steps have been taken to give effect to the section contained in the Inland Steam-Vessels (Amendment) Act, 1930 (XIII of 1930), which contemplates the formation of an Advisory Board for the River Steam Navigation and India General Navigation and Railway Company, Limited, in Bengal?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state when this Board was constituted and who are the members thereof?

(c) If no Advisory Board has yet been formed, will the Hon'ble Member be pleased to state why there has been such delay and what is the reason therefor?

(d) Has there been any such Board constituted for Barisal centre on the recommendations of the report of the Select Committee?

(e) If so, who are the members of such Board and on what principle have they been selected?

The Hon'ble Mr. A. MARR: (a) (b) and (c) The subject is under consideration at present, but section 54(b) of the Inland Steam-Vessels Act applies to all inland steam-vessels plying for hire and not only to the companies named by the member. Delay has been caused by the fact that Government have had to make inquiries regarding the number of inland steam-vessel owners in Bengal and to take into consideration the bearing of rules framed under the Act on all such owners.

(d) No.

(e) Does not arise.

Mr. P. N. GUHA: Will the Hon'ble Member be pleased to give any idea of the time when these rules will be framed?

The Hon'ble Mr. A. MARR: It is impossible to say until the Board is formed.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state the number of steamer companies in Bengal?

The Hon'ble Mr. A. MARR: There is no information on this point.

Contribution to the union board out of the road-cess collection.

*4. **Mr. PROSANNA DEB RAIKAT:** (a) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether any contribution is made to the union board out of the road-cess collection?

(b) If the answer to (a) is in the negative, will the Hon'ble Minister be pleased to state in what way the union board is benefited by the road-cess collection?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) No.

(*b*) The finances of union boards do not come into any direct relation with the road-cess. Under section 45 of the Village Self-Government Act, the district board may make grants to union boards, and is required to do so in the case of union boards which have raised a rate under section 37(*b*) of the Act; but district boards have been encouraged to make these grants from the Augmentation grant rather than from the road-cess. This cess remains the staple income of district boards and it is only in virtue of their assured income from this source that they can contribute to the expansion of the income of union boards whether by direct grants or transfer of pound receipts.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state whether Government propose to make any rules prescribing a certain amount of road-cesses to be contributed to the union boards by the district board?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I want notice of this.

Rent suits in Faridpur.

***5. Mr. SARAT CHANDRA BAL:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing—

(*i*) the number of rent suits instituted on the *tamadi* day, *i.e.*, 15th April, 1930, in the different civil courts of the Faridpur district; and

(*ii*) the number of suits which were at least registered within one month after filing in the civil courts of Gopalganj?

(*b*) Will the Hon'ble Member be pleased to state the reasons for the delay even in registering?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) (*i*) and (*ii*) A statement is laid on the table.

(*b*) Out of 2,783 rent suits filed on *tamadi* day, 2,608 were registered within one month. The others could not be registered as the court had allowed time to the plaintiffs to file deficit court fees or to remedy defects in the plaints.

Statement referred to in the answer to clause (a) (i) and (ii) of starred question No. 5.

Vide (a)(i).

Name of court.	The number of rent suits instituted in the different civil courts of the Faridpur district on the *tamadi* day, *i.e.*, 15th April.	
	1930.	1931.
Subordinate Judge's 1st Court, Faridpur ..	2	3
Subordinate Judge's 2nd Court, Faridpur ..	4	4
Sadar Munsif's Court, Faridpur	2,300	2,555
Munsif's 1st Court, Goalundo	1,687	1,478
Munsif's 2nd Court, Goalundo	1,900	1,775
Munsif's 1st Court, Madaripur	1,184	822
Munsif's 2nd Court, Madaripur	680	594
Munsif's 3rd Court, Madaripur	1,039	640
Munsif's 1st Court, Chikandi	796	540
Munsif's 2nd Court, Chikandi	1,054	556
Munsif's 1st Court, Bhanga	826	822
Munsif's 2nd Court, Bhanga	1,503	1,405
Munsif's 1st Court, Gopalganj	1,629	1,347
Munsif's 2nd Court, Gopalganj .. .	1,511	1,436

Vide (a)(ii).

Name of court.	The number of suits which were registered within one month after filing in the civil courts of Gopalganj.	
	1930.	1931.
Munsif's 1st Court, Gopalganj	1,101	1,297
Munsif's 2nd Court, Gopalganj	1,256	1,311

Advisory Committees for the inland steam-vessel [illegible]

*6. **Mr. S. M. BOSE:** (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state—

(*i*) whether under section 54B of the Inland Steam-Vessels Act, 1917, the Local Government has made any rules regarding the appointment and constitution of committees to advise the owners, agents and charterers of inland steam-vessels on questions affecting the interests of passengers and shippers of goods;

(*ii*) whether the Local Government has appointed any such advisory committees?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Member be pleased to state whether he is considering the desirability of making such appointment without delay?

The Hon'ble Mr. A. MARR: The attention of the member is invited to the answer to a starred question asked by Maulvi Muhammad Hossain at this meeting.

Money spent for irrigation purposes in certain districts.

*7. **Haji BADI AHMED CHOWDHURY:** Will the Hon'ble Member in charge of the Irrigation Department be pleased to place on the table a full statement of the money spent each year for irrigation purposes during the years 1920—30 in each of the districts of Burdwan, Hooghly, 24-Parganas, Calcutta, Faridpur. Chittagong, Noakhali, and Mymensingh?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Ghuznavi): A statement is placed on the table.

Statement referred to in the answer of starred question No. 7, showing expenditure for irrigation purposes during the years 1920-21 to 1929-30.

			1920-21.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.	1928-29.	1929-30.
			Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Burdwan and Hooghly.	Eden Canal	Works ..	1,971	..	..	766	..	..	101	..	..	..
		Extension and improvements.	..	..	..	..	..	952	7,596	4,687	724	799
		Maintenance and repairs.	22,926	17,240	20,542	18,424	17,521	29,222	38,002	42,814	23,956	23,484
Burdwan ..	Damodar Canal	Under construction—Works.	..	..	..	..	..	..	2,96,658	3,29,782	12,62,296	13,68,970
24-Parganas ..												
Calcutta ..												
Faridpur ..						NIL.						
Chittagong ..												
Hooghli ..												
Mymensingh ..												

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state why all the energy as regards irrigation has been directed to Burdwan only?

The Hon'ble Sir ABDELKERIM GHUZNAVI: I must ask for notice.

Number of depressed class or backward class members in the selection committees of certain medical schools and college.

***8. Mr. SARAT CHANDRA BAL:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state when and with how many members the selection committees of the Campbell Medical School, Calcutta, Government Medical School, Dacca, and Government Medical College, Calcutta, have been formed?

(*b*) What are names of the members and how long will the members hold their offices?

(*c*) How many of them belong to the depressed class or backward class respectively?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) and (*b*) Copies of the notifications constituting these selection committees are contained in the statement below. Members hold office for one year.

(*c*) It is difficult to answer this question in the absence of any list of the depressed and backward classes respectively to which reference is made but it will be seen from the lists in the statement that the backward or depressed classes are represented on each committee.

Statement referred to in the answer to clauses (a) and (b) of starred question No. 8.

SELECTION COMMITTEES.

CAMPBELL MEDICAL SCHOOL, CALCUTTA (*vide Government order No. X-3, dated the 11th May, 1931.*)

1. The Superintendent, Campbell Medical School and Hospital.
2. The Civil Surgeon, 24-Parganas.
3. The Teacher of Surgery, Campbell Medical School.
4. The Teacher of Medicine, Campbell Medical School.

5. Captain Dabiruddin Ahmed, O.B.E., L.M.S.
6. Mr. Mukunda Behari Mullick, M.L.C.
7. Mr. C. C. Biswas, M.A., B.L., C.I.E., M.L.A.
8. Mr. Narendra Kumar Basu, M.A., B.L., M.L.C.
9. Mr. A. F. M. Abdur Rahman, M.L.C.

MEDICAL SCHOOL, DACCA (*vide Government order No. 66T.—Medl., dated the 2nd May, 1931.*)

1. Lt.-Col. C. R. O'Brien, I.M.S., President.
2. Dr. M. M. Khan, Secretary.
3. Dr. S. C. Ghose, Senior Teacher.
4. Rai Pyari Lal Doss Bahadur, Chairman, Dacca Municipality.
5. Rai Bahadur Keshab Chandra Banerjea, Chairman, Dacca District Board.
6. Khan Bahadur Alimuzzuman Chaudhury, Chairman, Faridpur District Board.
7. Maulvi Saiyid Muhammad Hussain, Chairman, Bakarganj District Board.
8. Babu Satyendra Kumar Das, M.L.C.
9. Khan Bahadur K. M. Afzal, Nawabzada.
10. Rai Sasonka Kumar Ghose Bahadur, C.I.E., M.L.C.
11. Mr. K. Sala-ud-din, M.L.C.
12. Babu Lalit Kumar Bal, M.L.C., Faridpur.

MEDICAL COLLEGE, CALCUTTA (*vide Government order No. X-1, dated the 30th April, 1931*).

1. The Principal, Medical College, Calcutta, President.
2. Lt.-Col. W. L. Harnett, I.M.S.
3. Rai Dr. N. Pan Bahadur.
4. The Commissioner of the Presidency Division.
5. Rai Kamini Kumar Das Bahadur, M.B.E., M.L.C.
6. Rai Dr. U. N. Brahmachari Bahadur, M.A., M.D., PH.D.
7. Dr. T. Ahmed, F.R.C.S., D.O. & D.O.M.S.
8. Rai Sahib Rebati Mohan Sarker, M.L.C.

9. Rai Sahib Panchanan Barma, M.B.E., M.L.C.
10. Mr. H. S. Suhrawardy, M.L.C.
11. Khan Bahadur Azisul Haque, M.L.C.
12. Mr. Sarat Kumar Mittra, M.L.C.

Introduction of elective system in the district board of Jalpaiguri.

*9. **Mr. PROSANNA DEB RAIKAT:** (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that a resolution recommending the introduction of elective system in the district board of Jalpaiguri was carried by this Council on the 9th December, 1925?

(*b*) Is the Hon'ble Minister also aware that the Government promised to give effect to the resolution?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, will the Hon'ble Minister in charge be pleased to state why elective system has not been introduced in the district board of Jalpaiguri so long?

(*d*) Will the Hon'ble Minister be pleased to state whether the Government propose to introduce the said system in the said district board within a short time?

(*e*) If not, will the Hon'ble Minister be pleased to state how long the matter is likely to be postponed?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) A copy of the resolution referred to is appended.

(*b*) No. Government made no such unqualified commitment. Reference is invited to the remarks of the late Maharaja Kshaunish Chandra Ray Bahadur of Nadia, on behalf of Government, a copy of which is appended.

(*c*), (*d*) and (*e*) Government have already introduced the elective system in the Jalpaiguri district board, so far as the election of its members by the Alipur Duars local board is concerned. By notification No. 564-L.S.-G., dated the 8th February, 1930, of which a copy is appended, it was directed that the Sadar local board, which has been established for a part of the Sadar subdivision, should elect 5 members to the Jalpaiguri district board with effect from the next reconstitution of the latter, which falls due in 1932. Government are not in a position to forecast when the rest of the Sadar subdivision will elect members to the district board as the formation of a local board for this area depends largely on the formation of union boards, which have not yet been introduced here.

Resolution referred to in the answer to clause (a) of starred question No. 9.

RESOLUTION MOVED BY BABU RAMESH CHANDRA BAGCHI ON THE 9TH DECEMBER, 1925.

This Council recommends to the Government that early steps be taken to introduce the system of election in all those district and local boards of this province in which the system has not yet been introduced.

Extract referred to in the answer to clause (b) of starred question No. 9 from the speech of the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur, of Nadia, on the 9th December, 1925.

"Similarly in Jalpaiguri if it is found practicable to establish union boards, we shall be in a position to create additional local boards which will then elect members to the district board.

It will thus appear that at present there are legal difficulties in giving effect to the wishes of the mover of this resolution—although the creation of Sadar subdivisions for Malda and Jalpaiguri has removed these difficulties in respect of a portion of these districts.

We have placed Mr. Hart, an experienced officer, on special duty during the cold weather to advise Government as to the lines on which the Local Self-Government Act should be amended, and I can promise the mover of this resolution that his desire to secure the further extension of the elective system for district boards will be borne in mind when we consider the proposals made for the general amendment and consolidation of the law of local self-government."

Notification referred to in the answer to clauses (c), (d) and (e) of starred question No. 9.

Jalpaiguri.—No. 564L.S.-G.—8th February 1930.—It is hereby notified that, under section 7 of the Bengal Local Self-Government Act, 1885 (Bengal Act III of 1885), as amended by the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919), the Government of Bengal (Ministry of Local Self-Government) are pleased to direct that the Jaljaiguri Sadar local board shall elect five members to the Jalpaiguri district board with effect from the next reconstitution of the latter.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state why only a certain portion of the Jalpaiguri local board has got an elective system, and others have not?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I have nothing more to add.

Sadar-ghat ferry at Jiaganj.

*10. **Mr. SARAT KUMAR ROY:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing the income derived from the Sadar-ghat ferry at Jiaganj within the jurisdiction of Azimganj Municipality since 1920?

(*b*) Will he be pleased to state by which municipal administration the said ferry was managed in these years?

(*c*) Whether it is a fact that the said settlement has always been made for one year?

(*d*) What is the amount for which it has been settled in this year and for how many years has the present settlement been made?

(*e*) Is it a fact that the said ferry has been under the direct management of the Azimganj Municipality for some days in this year (1931-32)?

(*f*) In what proportion has the income from the said ferry been divided between Murshidabad and Azimganj Municipalities?

(*g*) Has the Azimganj Municipality paid its share regularly for the last 10 years to the Murshidabad Municipality?

(*h*) If the answer to (*g*) is in the negative, what steps have been taken by the Government to see that the Murshidabad Municipality gets its share in proper time?

(*i*) Is it a fact that the management of the said ferry had been transferred from Murshidabad Municipality to Azimganj Municipality from the present financial year?

(*j*) If the answer to (*i*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons and the circumstances necessitating the transfer?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) A statement is laid on the table.

(*b*) The Jiaganj-Azimganj Municipality managed the ferry up to 31st March, 1928, and the Murshidabad Municipality from 1st April, 1928.

The management was retransferred to the Jiaganj-Azimganj Municipality from 1st April, 1931.

(*c*) The answer is in the negative.

(*d*) Rupees 4,000 a year for three years from 1931-32. The Murshidabad Municipality at first settled the ferry without authority for 1931-32 and 1932-33 at an annual rent of Rs. 4,525; the lessee

having however surrendered the lease in accordance with its terms the Jiaganj-Azimganj Municipality was obliged to resettle it at the lower rent of Rs. 4,000 per annum for three years.

(*e*) *Vide* last part of (*b*) and (*d*) above.

(*f*) Jiaganj-Azimganj gets two-fifths and Murshidabad three-fifths of the ferry proceeds.

(*g*) No; as will be seen from the statement below showing the position 1918-19 to 1926-27. During 1928-29 and 1929-30 the ferry was under the management of the Murshidabad Municipality.

(*h*) The retransfer was made subject to certain conditions mentioned in the second paragraph of the Presidency Commissioner's letter, dated 23rd December, 1930, a copy of which is below.

(*i*) Yes.

(*j*) The ferry was restored to the municipality within the jurisdiction of which it lies as it was considered that the decrease of revenue while under its management in the past should not be regarded as a permanent bar to the usual practice of management of a ferry by the local authority in whose area it is situated, and that the Azimganj Municipality should be given a fresh opportunity of administering it accordingly. This action was taken on the advice of the District Magistrate and Commissioner.

Statement referred to in the answer to clause (a) of starred question No. 10, showing the annual rent at which the Jiaganj ferry was leased out for several years from 1919-20.

	Annual rent at which the Jiaganj ferry was leased out.
	Rs.
1919-20	... 4,000
1920-21	... 4,000
1921-22	... 4,000
1922-23	... 2,400
1923-24	... 3,001
1924-25	... 2,551
1925-26	... 1,600
1926-27	... 1,950
1927-28	... 1,950
1928-29	... 4,010
1929-30	... 4,025
1930-31	... 4,025

Statement referred to in the reply to clause (g) of starred question No. 10, showing the share of the Murshidabad Municipality in the Jiaganj ferry receipts and the amount paid by the Azimganj Municipality and the balance left to be paid by the said municipality from 2nd October, 1918, to 31st March, 1927.

Year.	Amount at which the ferry was settled.	Amount due to the Murshidabad Municipality in their three-fifths share.	Amount paid by the Azimganj Municipality.
	Rs.	Rs. a. p.	Rs. a. p.
1918-19	1,750	1,053 3 2	....
1919-20	4,000	2,400 0 0	....
1920-21	4,000	2,400 0 0	3,599 15 3
1921-22	4,000	2,400 0 0	2,800 0 0
1922-23	2,400	1,440 0 0	1,586 13 3
1923-24	3,001	1,800 9 7	700 0 0
1924-25	2,551	1,530 9 8	1,000 0 0
1925-26	1,600	960 0 0	500 0 0
1926-27	1,950	1,170 0 0	....
Total ..	25,252	15,154 6 5	10,186 12 6

Copy of letter referred to in the reply to clause (h) of starred question No. 10.

No. 2134 M., dated Calcutta, the 23rd December, 1930.

From—F. W. Robertson, Esq., I.C.S., Commissioner of the Presidency Division,

To—The Secretary to the Government of Bengal, Local Self-Government Department.

* * * * *

The Magistrate of Murshidabad recommends the retransfer of the ferry to the Jiaganj-Azimganj Municipality on the understanding that in the event of mismanagement, settlement at low rent and default in payments of the share due to the Murshidabad Municipality, the management will be transferred again to the latter municipality. I support the recommendation.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state why in 1925, 1926, 1927 and 1928, the amount of settlement was so much less?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: That question should be asked of the Municipality.

Employees of the Calcutta Medical College and Campbell Medical School.

*11. **Maulvi SYED MAJID BAKSH:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state the following particulars of all sorts of employees in the Calcutta Medical College and its attached hospitals and the Campbell Medical School, Calcutta, and its attached hospitals on the 31st March, 1931 (excluding the menials of inferior services):—

(*1*) name in full;

(*2*) name of the department or section;

(*3*) designation;

(*4*) academic qualifications in detail;

(*5*) present pay, scale of pay, fixed pay, allowance or honorarium (monthly amount);

(*6*) pay at the time of first appointment to Government service;

(*7*) race (caste and creed);

(*8*) date of birth;

(*9*) date of first appointment to the Government service;

(*10*) whether the employee has got workable knowledge in Bengali;

(*11*) home district and detailed permanent address; and

(*12*) relationship with the members of the staff of the same institutions, if any?

(*b*) Will the Hon'ble Minister be pleased to state whether Government circulars fixing the percentage of Muhammadans in the services under Government are sent to above institutions regularly?

The Hon'ble Mr. BEJOY PRASAD SINGH ROY: (*a*) and (*b*) The question would appear to include the whole of the professional and administrative staff of the institutions in question, and it is regretted that these are so large that the information asked for cannot be compiled without an amount of clerical labour which the Government are not prepared to undertake.

Maulvi SYED MAJID BAKSH: I have not yet got a reply to clause (*b*) of my question.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I have nothing more to add.

Point of order.

Babu JITENDRALAL BANNERJEE: On a point of order, Sir. Does it not amount to a refusal of the Government member to supply information?

Mr. PRESIDENT: I have often said in this Council that if a member is not satisfied with an answer, his only remedy lies in putting supplementary questions.

Babu JITENDRALAL BANNERJEE: There is no answer at all. I submit that the meeting should be adjourned if the Government members refuse to reply to questions.

Mr. PRESIDENT: I do not agree with you.

Question of a separate Legislative Council Department under the Hon'ble the President.

***12. Mr. S. M. BOSE:** (*a*) Will the Hon'ble Member in charge of the Legislative Department be pleased to state what progress has been made towards the establishment of a separate Legislative Council Department under the Hon'ble the President?

(*b*) Will the Hon'ble Member be pleased to state whether any scheme has been framed?

(*c*) If the answer to clause (*b*) is in the negative, are the Government considering the desirability of expediting the matter so that a complete scheme may be placed for the consideration of the Council at its next session?

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) The member is referred to the report prepared by the Committee of the Council appointed to consider this question. A copy of this report was circulated to members of the Council on the 7th July, 1931.

The views of the Hon'ble President have since been received and the proposals made by him are being examined.

(*b*) and (*c*) No scheme has been framed by Government, but the question of the additional staff which the separation would involve is being examined in connection with the proposals put forward by the Hon'ble President.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member tell us whether the President approves of this separation or not?

The Hon'ble Sir PROVASH CHUNDER MITTER: At this stage, I do not think I ought to say anything more than what I have said.

Rai Bahadur Dr. HARIDHAN DUTT: May I inquire when the opinion of the President will be available to the members of this Council?

The Hon'ble Sir PROVASH CHUNDER MITTER: As soon as the scheme is ready I shall be very pleased to place the whole matter before the Council.

Babu JITENDRALAL BANNERJEE: Does this question involve any additional expenditure?

The Hon'ble Sir PROVASH CHUNDER MITTER: I cannot say until we have examined the scheme.

Babu JITENDRALAL BANNERJEE: Have any other members of other departments been consulted?

The Hon'ble Sir PROVASH CHUNDER MITTER: Not formally; they have been consulted informally.

Babu JITENDRALAL BANNERJEE: Were members consulted individually, or in Committee?

The Hon'ble Sir PROVASH CHUNDER MITTER: No, not about the President's suggestions.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to give his reasons for not taking the members of the Council into his confidence in this matter?

The Hon'ble Sir PROVASH CHUNDER MITTER: They will certainly be taken into confidence.

Maulvi SYED MAJID BAKSH: After everything is settled?

Babu SATISH CHANDRA RAY CHOWDHURY: When was the report of the President received by the Hon'ble Member?

The Hon'ble Sir PROVASH CHUNDER MITTER: I cannot answer offhand; it was done partly by correspondence and partly by discussion. But if you want to know the date exactly, I can let you have it.

Mr. P. N. GUHA: Who is examining the views of the Hon'ble President?

The Hon'ble Sir PROVASH CHUNDER MITTER: Government.

Mr. P. N. GUHA: Does the Hon'ble Member propose to lay it before the particular committee which examined the whole thing?

The Hon'ble Sir PROVASH CHUNDER MITTER: I cannot say anything more at present.

Recruitment of ministerial officers in certain districts from the backward classes.

*13. **Mr. SARAT CHANDRA BAL:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to lay on the table a statement showing—

(*i*) the names, qualification, caste and dates of appointment of the present ministerial officers separately in the districts of Faridpur, Khulna, Rajshahi, Bakarganj, Dacca and Jessore; and

(*ii*) the number of them that belong to the Muhammadan, Hindu and backward classes?

(*b*) Are the Government considering the desirability of keeping a separate list of present ministerial officers belonging to the backward classes?

(*c*) Is the Hon'ble Member aware that the backward classes of the districts of Faridpur, Jessore and Bakarganj can reasonably demand one-third of the total appointments in the said districts on population basis?

(*d*) What steps do the Government intend to take to give effect to Government order No. X of 1931?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) (*i*) and (*ii*) The information required is not available and Government are not prepared to collect it.

(*b*) No.

(c) Figures based on the 1921 census do not support this claim. Those of this year's census are not yet available.

(d) Government are unable to trace the order referred to. In April, 1931, they issued a memorandum on the general policy to be followed regarding the recruitment of members of the backward classes to ministerial appointments under Government. A copy of the memorandum is annexed.

Appointment Department's memorandum Nos. 3540-3554A., dated Calcutta, the 28th April, 1931, referred to in the answer to clause (d) of starred question No. 13.

Government have had under consideration the question of the recruitment of members of the backward classes to ministerial appointments under Government. They are in favour of encouraging education among the backward classes by making provision for their employment to a reasonable extent in the public service, and the undersigned is directed to acquaint.....Department with the policy which it is proposed to adopt.

(i) The number of suitable candidates from the backward classes for ministerial appointments being at present small, Government are not prepared to prescribe percentages for all areas and districts. They desire, however, that district officers and all other officers who have appointments under their control should look out for and encourage candidates from backward classes, especially in district or areas where the backward classes' percentage of population is considerable or forms a large proportion of the non-Muhammadan population. Candidates from backward classes who possess the qualifications required for any such appointment should not be rejected merely because other candidates have reached a higher standard. A reasonable number must be appointed under the usual conditions for probation. But the preference so given extends only to admission to probation, not to confirmation after probation. Probationers from backward classes must satisfy the same standard for confirmation as is required from all other probationers.

(ii) In the districts of Bakarganj and Faridpur an experiment will be made in requiring a definite proportion of the non-Muhammadan vacancies to be filled up from the backward classes and in future at least 1 out of every 3 non-Muhammadans appointed to ministerial vacancies must belong to the backward classes.

(iii) By 30th April each year from 1932 onwards returns should be submitted by each department to Appointment Department, showing the number of ministerial posts filled in districts and other areas during the previous financial year and how they were filled.

(*iv*) These orders will not refer to posts in the Secretariat and other offices which are filled by examination, but the departments concerned are required to revise their examination rules so as to bring them as far as possible in conformity with the policy explained in the preceding paragraphs.

The undersigned is directed to say that these decisions should be communicated to all officers subordinate to.....Department/the Commissioners and other Heads of departments subordinate to the Revenue Department for their guidance.

A list of the backward classes referred to in these instructions is attached.

G. B. SYNGE,

Under-Secretary to the Government of Bengal.

To—All Departments of this Government.

The backward classes for ministerial appointments.

Bagdis.	Hadis.	Koras.	Namasudras.
Bauris.	Hajangs.	Kulus.	Nuniyas.
Bediyas.	Haris.	Kumars.	Oraons.
Bhuimalis.	Jalia Kaibarttas.	Kurmis.	Patnis.
Bhuiyas.	Kalus.	Lodhas.	Pods.
Bhumijs.	Kamars.	Lohars.	Pundaris.
Buddhists.	Kaoras.	Mahishyas.	Rajbansis.
Chakmas.	Kairas.	Mals.	Rajus.
Chamars.	Kapalis.	Malos.	Santals.
Dhobas.	Kastas.	Mechs.	Suklis.
Domes.	Khandaits.	Mechuas.	Sunris.
Dosadhs.	Khens.	Metias.	Sutradhars.
Gains.	Kochs.	Muchis.	Tiparas.
Garos.	Koiris.	Mundas.	Tiyars.

Additional police in Chittagong.

*14. **Haji BADI AHMED CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a statement showing the number and costs of the additional police force quartered in the Chittagong district in the months of April and May, 1931?

(*b*) What was the total amount of money spent for them on this occasion?

(*c*) Was there any necessity for quartering such additional police force in Chittagong?

(*d*) Was not the information on which the additional police force was quartered found to be false and was not the police force suddenly withdrawn?

(*e*) Is the Hon'ble Member aware—

(*i*) of the indiscriminate searches by the Gurkhas of respectable gentlemen of all ranks including magistrates, judicial officers, pleaders, ministerial officers, zamindars and ladies that took place in the streets in the day time; and

(*ii*) of the protest made by the public?

(*f*) How many of the people searched were found guilty of committing offences?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) and (*b*) A statement showing the number of additional police appointed in the Chittagong district is laid on the table. No particulars as to the cost of the force are yet available.

(*c*) Yes.

(*d*) No. It is still quartered in the areas referred to in the notification.

(*e*) (*i*) Owing to conditions in Chittagong it was found necessary to search persons and cars entering and leaving the town during 4—5 days. The searches were not indiscriminate and orders were issued that they were only to be made in suspicious cases.

(*ii*) Yes.

(*f*) Government have no detailed information.

Statement referred to in the answer to clauses (a) and (b) of starred question No. 14, showing the number of additional police appointed in the district of Chittagong under section 15 of the Police Act, 1861.

Rank.		Number.
Inspector	...	1
Sub-Inspectors	...	2
Head constables	...	10
Constables	...	120
Total	...	133

3-30 p.m.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state when particulars as to the cost incurred in April and May are likely to be in possession of the Hon'ble Member?

The Hon'ble Mr. W. D. R. PRENTICE: As soon as the local officers send in their reports.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether the additional police force was posted there as a result of local disorder or in anticipation of an invasion from Burma?

The Hon'ble Mr. W. D. R. PRENTICE: The reasons are stated in the notification.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether these conditions still exist?

The Hon'ble Mr. W. D. R. PRENTICE: Yes.

Recruitment to the various services in Jalpaiguri.

***15. Mr. PROSANNA DEB RAIKAT:** Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether the natives of the district of Jalpaiguri are given preference in the matter of appointment and recruitment of officers and clerks in the Government service in the Jalpaiguri district in proportion to their claim?

The Hon'ble Mr. W. D. R. PRENTICE: Recruitment of officers to the various provincial services is made on a provincial basis in accordance with the rules governing each service.

2. As regards clerks, there is no rule which requires clerks to be natives of the districts in which they serve but in practice most of them are, if suitable candidates are available. There are no special orders for Jalpaiguri district on this subject.

Cost of additional police in Chittagong.

***16. Mr. SHANTI SHEKHARESWAR RAY:** Will the Hon'ble Member in charge of the Police Department be pleased to state whether the cost of additional police in the Chittagong district is being realised from Hindu inhabitants only? If so, why?

The Hon'ble Mr. W. D. R. PRENTICE: The proposals of the local officers have not yet been received. Consequently Government have not yet passed any orders about exemptions under section 15 (*5*) of the Police Act.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether during his recent visit the leading men of the place protested against making any invidious distinction between Hindus and Muhammadans in connection with the imposition of the additional punitive tax?

The Hon'ble Mr. W. D. R. PRENTICE: Not generally.

Munsif's court at Kasba.

***17. Babu KHETTER MOHAN RAY:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether it is in contemplation of the Government to transfer the Munsif's court at Kasba to Brahmanbaria in the district of Tippera?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state when the transfer was decided upon and the reasons for such removal?

(*c*) Is it a fact that the removal of this court to Brahmanbaria was decided upon as a part of a scheme for distribution of the boundaries of the subdivisions in the district and creation of a new one in the Sadar subdivision?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state whether that scheme was abandoned *sine die*?

(*e*) Will the Hon'ble Member be pleased to state whether the removal decided upon is due to the unhealthiness of the station?

(*f*) Is the Hon'ble Member aware that the health of the Kasba town has greatly improved and it is free from malaria since the time when it was first decided to remove the court when opportunity occurred?

(*g*) Is the Hon'ble Member also aware that the removal has been strenuously opposed by the people of the Kasba thana and the local Bar?

(*h*) Did the Government receive any representation from the local people against such removal?

(*i*) Is the Hon'ble Member aware of the remarks of Mr. Bartley, the then District Judge of Tippera, that his predecessor was mistaken in thinking that the Bar was in favour of the removal; and that the

unhealthiness of Kasba was much exaggerated; that the clerks were partly responsible for their misfortune owing to the fact that they lived under bad conditions in the expectation of securing early transfer and that there was no need to claim special attention to the question of removal of this Munsifi on the grounds of unhealthiness of the locality and that the trade and commerce of this place as well as a Government aided school and a charitable dispensary were sure to be ruined if the Munsifi were removed?

(*j*) Is it a fact that the removal of the Munsifi from Kasba would cause great inconvenience, hardship and loss to the people of the locality and the members of the Bar, especially at a time when people are passing through extremely critical economic condition and distress?

(*k*) Is the Hon'ble Member aware that the Munsif's court at Kasba is over 100 years' old and that it possesses pucca buildings, a witness shed with pucca quarter for Munsifs?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) Yes.

(*b*) In June. The transfer was decided upon as a measure of administrative convenience.

(*c*) No.

(*d*) Does not arise.

(*e*) The unhealthiness of the station was one of the reasons for sanctioning the transfer.

(*f*) No.

(*g*) Some protests have been received from the local people but none from the local Bar.

(*h*) Yes.

(*i*) The Government have no information.

(*j*) It might cause some inconvenience to those living at the station.

(*k*) Yes, except that the period during which the Munsif's court at Kasba has been in existence is not known.

Babu KHETTER MOHAN RAY: Will the Hon'ble Member be pleased to state if there were other reasons for the transfer than the unhealthiness of the station?

The Hon'ble Mr. W. D. R. PRENTICE: Government generally does not approve now of these isolated munsifis, as they are uneconomical and the general policy of Government is to abolish them.

Question of a public holiday on the 1st Baisakh.

*18. **Mr. MUKUNDA BEHARY MULLICK:** Will the Hon'ble Member in charge of the Finance Department be pleased to state whether he is aware—

(*i*) that a resolution was moved by Babu Sanat Kumar Ray Chaudhuri, M.L.C., on the 7th February, 1930, recommending to the Government "that the 1st Baisakh of each Bengali year be observed as a holiday in all Government offices and courts in the province of Bengal";

(*ii*) that the said resolution was withdrawn on the assurance that the Government would address the High Court and the district officers to ascertain what the local desire was and that they would then settle the matter;

(*iii*) whether any decision has since been arrived at; and

(*iv*) if so, what is that decision?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. A. Marr): (*i*) and (*ii*) Yes.

(*iii*) Not yet.

(*iv*) Does not arise.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state whether the High Court and the district officers were consulted in the matter?

The Hon'ble Mr. A. MARR: Yes.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state what was the opinion in general?

The Hon'ble Mr. A. MARR: There was no particular demand for the change, but those who were consulted have no objection as far as I remember.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state with reference to answer (*iv*), when the Government is likely to come to a decision?

The Hon'ble Mr. A. MARR: A decision will be come to when Government have come to a decision on another question regarding public holidays.

Dental College.

*19. **Mr. B. C. CHATTERJEE:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the proposal for the establishment of a dental college in connection with the Carmichael Medical College has taken any definite shape?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: It has not been found possible to proceed further with the scheme in the present financial conditions.

Recommendations of the Committee on Ayurvedic medicine.

*20. **Mr. ANANDA MOHAN PODDAR:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether any Ayurvedic Committee has been constituted since 1921?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether any recommendations were submitted to the Government by such Committee and what action, if any, the Government have taken to give effect to those recommendations?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) Yes. A Committee on Ayurvedic medicine reported in 1925.

(*b*) Government have been in consultation with gentlemen interested in the Ayurvedic profession as to the action which could be taken on such proposals as do not involve Government in any new financial commitments.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister be pleased to state whether there is any definite or ascertainable time when the consultations will be finished?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I may inform the hon'ble member that immediately after this session is over I propose to discuss the scheme.

Appointment of Namasudra candidates as Munsif.

*21. **Babu AMULYADHAN RAY:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state how many Munsifs have been appointed since the year 1927 and how many of them are—

(*i*) B.L.'s, and

(*ii*) M.A., B.L.'s?

(*b*) What is the age-limit in appointing the Munsifs in the Provincial Judicial Service?

(*c*) According to the Matriculation certificate has any over-aged candidate been appointed a Munsif since the year 1921?

(*d*) If the answer to clause (*c*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) what is their number;

(*ii*) what was their age at the time of their appointments according to Matriculation certificates;

(*iii*) what are their names; and

(*iv*) what are the circumstances that led to these appointments?

(*e*) If no age-barred candidates have been appointed since the year 1921, will the Hon'ble Member be pleased to state the names and the Matriculation certificate age of the Munsifs appointed in the year 1929?

(*f*) How many candidates belonging to the Namasudra community were there since the year 1927 for the appointment of Munsifs?

(*g*) What were their names, age, and educational qualifications?

(*h*) Has any Namasudra candidate been appointed Munsif since the year 1927?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) 94.

(*i*) 28.

(*ii*) (1) 64.

(2) 2 (M.Sc., B.L.'s.).

(*b*) According to the rules, the age of a candidate should not exceed 29 years on the date of his first appointment to the Bengal Civil Service (Judicial).

(*c*) Yes.

(*d*) (*i*) (*ii*) and (*iii*) The information required is not readily available and Government are not prepared to collect it.

(*iv*) In the majority of cases, the appointments at an age exceeding 29 were due to the fact that, owing to exceptional circumstances, it was not possible to recruit any members for the Judicial Service for about two years from March, 1922, and it was considered desirable both on account of administrative reasons and to prevent undue hardship to deserving candidates to relax the age-limit in respect of a number of candidates. Since 1929 the age-limit has been strictly enforced.

(*e*) Does not arise.

(*f*) and (*g*) The High Court has no specific information as to the candidates for appointment as Munsifs since 1927 who belonged to the Namasudra community, but in some cases special claims of persons belonging to the depressed classes were put forward and considered by the Court when making selections for appointment.

(*h*) Some candidates belonging to depressed classes have been appointed, but without making special reference to those actually appointed, it is not possible to state which of them, or whether any of them, belonged to the Namasudra community.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state with reference to (*c*) when were these candidates appointed?

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state what was the special reason for the appointment of these age-barred candidates?

The Hon'ble Mr. W. D. R. PRENTICE: That has been answered in (*d*) (*iv*).

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state the year in which these age-barred candidates were appointed?

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state the total number of candidates in 1927 when the appointment of age-barred candidates of 1922 was made?

The Hon'ble Mr. W. D. R. PRENTICE: The list of candidates is kept by the High Court.

Aid to salt industries in Bengal.

*22. **Babu KHETTER MOHAN RAY:** (*a*) Will the Hon'ble Member in charge of the Commerce Department be pleased to state whether the Government of Bengal have made any scheme for giving aid to any industries with a view to their development with the funds received as its share from recently-imposed duty on salt realised from the consumers of salt in Bengal?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what are the industries which the Government intend to aid with the funds so received?

(*c*) Will the Hon'ble Member be pleased to state whether any portion of its share of the tariff duty on salt has hitherto been received by the Government? If so, how much?

(*d*) Will the Hon'ble Member be pleased to state whether the Government have made any survey of the prospects of manufacture of salt in Bengal?

(*e*) If the answer to clause (*d*) is in the negative, will the Hon'ble Member be pleased to state whether the Government intend to make such survey with a view to develop the salt industry in Bengal?

MEMBER in charge of COMMERCE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) No.

(*b*) Does not arise.

(*c*) No.

(*d*) The Government of India propose to depute an officer to examine this question.

(*e*) Does not arise.

Carrying out of the terms of the Delhi Agreement by Congressmen.

*23. **Mr. SHANTI SHEKHARESWAR RAY:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether any instance has been brought to the notice of the Government in which Congress men in Bengal have failed to carry out the terms of the settlement arrived at between Lord Irwin and Mahatma Gandhi?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement giving details of such instances?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes.

(*b*) Government consider that it does not conduce to the satisfactory carrying out of the settlement, to give publicity to such details at this time.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Member be pleased to state without disclosing the name of Congress men what exactly is the number of such cases of breach of the Delhi settlement?

The Hon'ble Mr. W. D. R. PRENTICE: I have nothing further to add to answer (*b*).

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether he has drawn the attention of the President of the Provincial Congress Committee or of Mahatma Gandhi to any breach of the settlement in Bengal?

The Hon'ble Mr. W. D. R. PRENTICE: I have not personally, but I know that some officers have written to certain Congress leaders.

Babu SATISH CHANDRA RAY CHOWDHURY: Have any breaches of the Delhi pact been brought to the notice of the Hon'ble Member?

The Hon'ble Mr. W. D. R. PRENTICE: Complaints have been made.

Salaried staff and piece-hands in Government Press.

***24. Maulvi LATAFAT HUSSAIN:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to say whether it is a fact that the earnings of the salaried staff of the Government Printing, Bengal, Alipore, are increasing year by year and those of the piece-hands are decreasing?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons of the same?

(*c*) Are the Government considering the desirability of taking any measures in this direction? If not, why not?

The Hon'ble Mr. A. MARR: (*a*) No.

(*b*) and (*c*) Do not arise.

Proposals regarding amalgamation of the Jail Press with the Government Press and outside orders for works.

*25. **Maulvi LATAFAT HUSSAIN:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state whether it is a fact that the Secretary, Press Employees' Association, Calcutta, a registered and recognised body, addressed a letter, dated 19th May, 1931, to the Secretary, Finance Department, Government of Bengal, regarding the amalgamation of the Jail Press with the Bengal Government Press and regarding outside orders for printing and binding works of the Government?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what action has been or is intended to be taken in the matter?

(*c*) If no action is contemplated in the matter, what are the reasons?

The Hon'ble Mr. A. MARR: (*a*) Yes.

(*b*) and (*c*) A portion of the work of printing the paper-books of second appeals to the High Court has already been taken over by the Bengal Government Press, and the other suggestions in the letter are being examined by Government.

Number of second appeals to the High Court.

*26. **Mr. MUKUNDA BEHARY MULLICK:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state in a tabular form the number of second appeals presented to the High Court in the years 1928, 1929, 1930 of the values—

(*i*) up to Rs. 500;

(*ii*) between Rs. 500 and Rs. 1,000;

(*iii*) between Rs. 1,000 and Rs. 2,000; and

(*iv*) between Rs. 2,000 and Rs. 5,000?

(*b*) Will the Hon'ble Member be pleased to state how many of each class of the aforesaid appeals have been admitted at the preliminary hearing under Order 41, Rule 11, Civil Procedure Code?

(*c*) Will the Hon'ble Member be pleased to state in how many of each class of the aforesaid appeals admitted at the preliminary hearing, the judgments of the lower appellate courts had been set aside or varied?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) and (*ii*)—

Year.	Number of second appeals up to Rs. 500.	Number of second appeals exceeding Rs. 500 but not exceeding Rs. 1,000.
1928	... 2,423	189
1929	... 2,727	238

(*iii*) and (*iv*) The number of second appeals exceeding Rs. 1,000 but not exceeding Rs. 5,000, is shown below, but separate figures as asked for are not readily available:—

1928	... 245
1929	... 295

(*b*) and (*c*) The information asked for is not available.

Detenu students.

*27. **Mr. SHANTI SHEKHARESWAR RAY:** Will the Hon'ble Member in charge of the Political Department be pleased to state—

(*i*) the number of students detained at present without trial under the Bengal Criminal Law Amendment Act, 1930;

(*ii*) how many of these persons were previously convicted of an offence involving violence; and

(*iii*) how many have been detained under the Act after the failure of the Government to secure a conviction after a trial?

The Hon'ble Mr. W. D. R. PRENTICE: The number of persons etained on the 12th July, 1931, was 496,487 under section 2(*1*) and under section 4.

The information asked for under (*i*), (*ii*), (*iii*) is not on record and cannot be furnished without the detailed examination of the records of all the above persons, and labour which Government are unable to undertake with their present staff.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether he has any idea as to how many days it will take a clerk to compile the information.

The Hon'ble Mr. W. D. R. PRENTICE: No.

Lack of communications between passengers and the train staff on the metre gauge of the Eastern Bengal Railway.

*28. **Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur:** Will the Hon'ble Member in charge of the Public Works (Railways) Department be pleased to state whether on the metre gauge the Eastern Bengal Railway mixed trains do not have communications between passengers and the train staff, and there is no means to stop the train or to inform the guard in case of accident?

MEMBER in charge of PUBLIC WORKS (RAILWAYS) DEPARTMENT (the Hon'ble Mr. A. Marr): On the metre gauge portion of the Eastern Bengal Railway, mixed trains are run without means of communication between passengers and the train staff as the metre gauge goods stock is not vacuum fitted, and has to be placed next to the engine to facilitate shunting at roadside stations and to avoid inconvenience to passengers.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member be pleased to state whether Government contemplate taking any steps to provide for means of communication between passengers and the train staff?

The Hon'ble Mr. A. MARR: If the member means by "means of communication" the provision of vacuum brakes, I am afraid the Railway Board have no idea of fixing vacuum brakes to mixed trains.

Dr. NARESH CHANDRA SEN GUPTA: I want to know whether Government consider it advisable to provide for means of communication between passengers and the train staff on mixed trains?

The Hon'ble Mr. A. MARR: It is quite impossible as long as there is goods stock between the engine and the passengers' carriages.

Dr. NARESH CHANDRA SEN GUPTA: Does the Government contemplate taking any action for the purpose of providing some means of communication?

The Hon'ble Mr. A. MARR: I cannot see how Government can take any action when I say it is quite impossible.

U[illegible] Questions

(answers to which were laid on the table).

Sheristadar of the District Judge, Hooghly.

1. **Maulvi HASSAN ALI:** Will the Hon'ble Member in charge of the Judicial Department be pleased to state—

(*i*) whether the present Assistant Secretary to the Government of Bengal (Judicial Department) disposed of several petitions against the present sheristadar of the District Judge of Hooghly;

(*ii*) whether the said sheristadar and Assistant Secretary are near relatives?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*) and (*ii*) No.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether a number of petitions were received?

The Hon'ble Mr. W. D. R. PRENTICE: Countless petitions have been received, I cannot give the number.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state when they will be decided?

The Hon'ble Mr. W. D. R. PRENTICE: They have been decided as far as I know.

Mr. NARENDRA KUMAR BASU: The printed answer says "No." Are we to take that this "No" is a mistake for "Yes"?

The Hon'ble Mr. W. D. R. PRENTICE: "No" means that they have not been decided by the Assistant Secretary.

Mr. NARENDRA KUMAR BASU: By whom have they been decided?

The Hon'ble Mr. W. D. R. PRENTICE: By the Secretary.

3-45 p.m.

Process-servers of the civil courts, Jessore.

2. **Maulvi SYED MAJID BAKSH:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether he is aware that the process-servers of the civil courts at Jessore, Magura and Bongaon are engaged in the houses of the judicial and ministerial officers to perform household works?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) what action, if any, do the Government contemplate taking for the abuse of the order No. 71-93J. D., issued on the 27th May, 1931; and

(*ii*) what further steps the Government are taking for the strict observance in future of "Government circulars" in this particular matter?

(*c*) If the answer to clause (*a*) is in the negative, will the Hon'ble Member be pleased to state whether he is considering the desirability of finding out the truth by an open inquiry?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) No.

(*b*) Does not airse.

(*c*) In view of the orders contained in Government order No. 71-93J. D., dated the 27th May, 1931, Government do not propose to take any further action at present.

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that in spite of the Government order the practice of utilising the services of process-servers in the houses of judicial officers is going on as usual?

The Hon'ble Mr. W. D. R. PRENTICE: I am not aware of this.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to inquire what is being done?

The Hon'ble Mr. W. D. R. PRENTICE: If any such case is brought to the notice of the District Judge, the District Judge will deal with it.

Non-official visitors to the Hooghly Jail.

3. MUNINDRA DEB RAI MAHASAI: (*a*) With reference to the statement laid on the table in reply to clause (*a*) of unstarred question No. 105 of the 27th March, 1931, will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether Babus Tarak Nath Mukharji and Amarendra Nath Chatarji are still non-official visitors to the Hooghly Jail?

(*b*) Have they not ceased to be visitors after their resignation as members of this Council about a year ago?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) and (*b*) They are no longer non-official visitors, having ceased to be so on resignation of their membership of the Legislative Council.

MUNINDRA DEB RAI MAHASAI: Will the Hon'ble Member be pleased to state why the list was not corrected even after the gentleman has ceased to be a visitor for over a year?

The Hon'ble Sir PROVASH CHUNDER MITTER: The list was perhaps not corrected or perhaps the name was not struck off due to a mistake.

Female attendant for the female waiting room at the Narayanganj railway station.

4. Mr. ANANDA MOHAN PODDAR: (*a*) Is the Hon'ble Member in charge of the Public Works (Railways) Department aware that the post of the female attendant for the female waiting room at the Narayanganj railway station has been abolished causing much inconvenience to the female passengers there?

(*b*) If the answer to clause (*a*) is in the affirmative, are the Government considering the desirability of taking steps for removing the grievances of the passengers?

The Hon'ble Mr. A. MARR: (*a*) and (*b*) No. The matter is one which should be referred to the Local Advisory Committee of the railway concerned.

Mr. ANANDA MOHAN PODDAR: Will the Hon'ble Member be pleased to inquire whether the post of the female attendant for the female waiting room at Narayanganj has been abolished?

The Hon'ble Mr. A. MARR: That is a matter for the Local Advisory Committee and Government have nothing to do with such details regarding the working of the railway.

Mr. ANANDA MOHAN PODDAR: Is the Hon'ble Member sure that the advice of the Local Advisory Committee is attended to?

The Hon'ble Mr. A. MARR: I am not sure.

Training of apprentices in the Government Dockyard, Narayanganj.

5. **Babu HOSENI ROUT:** (*a*) With reference to the speech on 26th March last on the motion of Maulvi Md. Fazlullah under the Budget head "27—Ports and Pilotage," will the Hon'ble Member in charge of the Marine Department be pleased to state whether any and, if so, what action has been taken for the training of apprentices in the Government Dockyard, Narayanganj?

(*b*) Has the matter been considered in consultation with Government technical officers? If so, with what result?

The Hon'ble Mr. A. MARR: (*a*) and (*b*) Government have considered the matter in consultation with the Engineer-Superintendent of the Dockyard.

At present 25 lads are being trained as apprentices in the Dockyard. These lads can however be trained in one trade only. The course of apprenticeship for each trade is 5 years, during which period each apprentice receives a small allowance. After their apprenticeship is completed, normally the lads are employed in the yard at wages which vary according to their capabilities as workers.

The yard cannot give apprenticeship courses in general mechanical engineering for the following reasons:—

(*1*) new launches are not built in it;

(*2*) the yard is not sufficiently well-equipped with drawing-office and technical staff; and

(*3*) only repair-work is taken in hand which is purely of a repetitive character.

Advisory Committees for inland steamer services.

6. **Rai Bahadur DEBENDRA NATH BALLABH:** Will the Hon'ble Member in charge of the Marine Department be pleased to state whether the Government contemplate appointing an Advisory Committee under section 54B of the Inland Steam-Vessels (Amendment) Act, 1930 (Act XIII of 1930)?

The Hon'ble Mr. A. MARR: The attention of the member is invited to the answer given to a starred question on this subject asked by Maulvi Muhammad Hossain at this meeting.

Question of a public holiday on the 1st Baisakh.

7. **Babu GOKUL CHAND BURAL:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state what is the present position as regards the proposal brought forward by Babu Sanat Kumar Ray Chaudhuri on the 7th February, 1930, for granting a public holiday throughout Bengal on the 1st Baisakh each year (i.e., the Bengali New Year's day)?

(*b*) What decision have the Government come to as a result of the consultation with the High Court and district officers?

The Hon'ble Mr. A. MARR: (*a*) The matter is still under the consideration of Government.

(*b*) Does not arise.

Posting of officers in any particular station.

8. **Rai Bahadur SATISH CHANDRA MUKHERJI:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether there is any fixed rule as to the period for which the Executive and Judicial officers of various cadres are to be stationed in any particular place?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether the rule is uniform for various classes of officers?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) and (*b*) There is no fixed rule, but officers are not ordinarily kept at one station for more than three years.

Number of Commissioners of the Narayanganj Municipality.

9. Mr. ANANDA MOHAN PODDAR: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether a copy of the resolution passed unanimously at a public meeting praying for an increase in the number of Commissioners of the Narayanganj Municipality from 12 to at least 21, has been sent to the Government?

(*b*) Is the Hon'ble Minister aware that similar resolutions have also been sent by the Narayanganj Mahajan Sabha and the Bar Association?

(*c*) Are the Government considering the desirability of increasing the number of Commissioners of the Municipality?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) and (*b*) Yes.

(*c*) The matter will be examined on receipt of the Commissioner's report.

Mr. ANANDA MOHAN PODDAR: Will the Hon'ble Minister be pleased to see that the report in question is expedited.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Certainly.

Acceptance of revenues by the ministerial officers in charge of treasuries.

10. Mr. SARAT KUMAR ROY: (*a*) Is the Hon'ble Member in charge of the Finance Department aware that landlords are made to suffer unnecessary expenses and harassments when paying their revenues as the ministerial officers in charge of treasuries often refuse to accept money on frivolous pretexts?

(*b*) Will the Hon'ble Member be pleased to inquire into the matter and take such steps as he may deem fit to remedy the grievance?

The Hon'ble Mr. A. MARR: (*a*) Government are not aware of any such cases.

(*b*) Government will be prepared to consider the necessity for making an inquiry if any specific case is brought to their notice.

Steamer Advisory Committees for inland steamer services.

11. Babu HOSENI ROUT: (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state whether any action has been taken for the establishment of Steamer Advisory Committees in Bengal?

(*b*) If the answer to clause (*a*) is in the negative, will the Hon'ble Member be pleased to state why no action has been taken in the matter?

The Hon'ble Mr. A. MARR: (*a*) and (*b*) The attention of the member is invited to the answer given to a starred question on this subject asked by Maulvi Muhammad Hossain at this meeting.

Détenu Ambika Charan Chakravarty.

12. Babu JITENDRALAL BANNERJEE: (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether Ambika Charan Chakravarty, an accused in the Chittagong Armoury Raid case, is now detained as an under-trial prisoner in the Suri District Jail?

(*b*) Is it a fact that he is under observation and treatment as a tuberculosis patient?

(*c*) If the answer to clause (*b*) is in the affirmative, will the Hon'ble Member be pleased to state what is his present state of health?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) and (*b*) Yes.

(*c*) In reply to an inquiry made, the Superintendent reported on the 11th July, 1931, that he was in the best of health. On May 5th, 1931, the Superintendent reported that no tubercular bacillus had been found in the sputum for 3 months and that the patient had gained two stones in weight. Observation and treatment are continuing.

Babu JITENDRALAL BANNERJEE: Is the Hon'ble Member aware that this prisoner was recently on hunger strike?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am not quite sure.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to inquire into the matter?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes.

Prosecution for picketing excise and foreign cloth shops.

13. Babu SATYENDRA NATH ROY: Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing the number of prosecutions started—

(*i*) for picketing excise shops; and

(*ii*) for picketing foreign cloth shops after the Irwin-Gandhi agreement in March last?

The Hon'ble Mr. W. D. R. PRENTICE: There have been no such prosecutions.

Since the expiry of the Prevention of Intimidation Ordinance any prosecutions that have been instituted have been for specific offences under the ordinary law and not for picketing *per se*.

Publication of obscene literature.

14. Mr. SHANTI SHEKHARESWAR RAY: (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether the attention of the Government has been drawn towards an increase in the publication of obscene literature in Bengal?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what steps Government have taken to check the evil?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) and (*b*) The attention of Government has been drawn to an increase in the number of books dealing with immorality and matters of sex, and Government have ordered prosecution in some cases in which their legal advisers have stated that prosecution for obscenity would lie. Each case that is brought to their notice is examined and dealt with on its merits.

Special motion under section 78A of the Rules and Standing Orders.
Bengal representation on the Round Table Conference.

Mr. PRESIDENT: Before I take up the next item in the list of business I wish to suspend the ordinary business of the House for the discussion of a resolution I have admitted under section 78A.

Maulvi SYED JALALUDDIN HASHEMY: On a point of order, Sir. I received notice of this motion only this morning and I think some other members also received it only this morning. Sir, will you kindly allow me to move an amendment at this stage?

Mr. PRESIDENT: I do not think that any useful purpose will be served by allowing a member to move amendments to an emergent resolution of this nature. It is, however, up to any member to point out in course of his speech any defect he may find in the motion. I think this will suffice in a matter like this.

Maulvi SYED JALALUDDIN HASHEMY: I gave notice of several motions under section 78A. All have been disallowed by the Hon'ble the President but no reason has been assigned in disallowing those motions. Sir, will you kindly tell me the remedy by which we may know the reason for disallowing certain motions, particularly the motion regarding the system of electorates and the system of franchise to be introduced in the next constitution.

Mr. PRESIDENT: You may write to the Secretary or see him in order to know the reasons as to why your motions were disallowed by me. We have, however, nothing to do with that at the present moment.

Mr. SHANTI SHEKHARESWAR RAY: I want to submit that this resolution has been admitted with the sanction of His Excellency the Governor————

Mr. PRESIDENT: How do you come to that conclusion? What makes you think that it was admitted with the sanction of His Excellency the Governor?

Mr. SHANTI SHEKHARESWAR RAY: This is my impression.

Mr. PRESIDENT: You are wrong.

Mr. SHANTI SHEKHARESWAR RAY: My submission is as regards the admissibility of this resolution.

Mr. PRESIDENT: You are not supposed to question my decision.

Maulvi SYED MAJID BAKSH: If a member has not got a copy of a resolution what is his remedy?

Mr. PRESIDENT: His remedy lies in asking the Secretary or the Registrar to supply him with a copy of it.

Maulvi SYED MAJID BAKSH: If on writing to the Secretary we do not get any reply as to the reason for disallowing a resolution what is our remedy?

Mr. PRESIDENT: Order, order, if you will come forward with a concrete case I will tell you what to do.

Mr. S. M. BOSE: In Mr. B. C. Chatterjee's absence, may I, with your leave, move the resolution which stands in his name?

Mr. PRESIDENT: Yes, you have my leave to do so.

Mr. S. M. BOSE: I beg to move that this Council expresses its emphatic opinion that the representation of Bengal on the Round Table Conference is meagre and insufficient, having regard to the importance of the Province, its peculiar problems and the representation allowed to other provinces smaller in area, population and resources, and urges upon Government the importance of calling the immediate attention of His Excellency the Governor General and the Secretary of State for India to the urgency of the claims of Bengal to a larger representation on the Round Table Conference so that the views of Bengal may be adequately and effectively represented, and this Council further urges that there should be suitable representation of Bengal on the Federal Structure Sub-Committee of the Round Table Conference on which important Sub-Committee there is no representative from Bengal.

I am certain it voices the unanimous sentiment of Bengal, irrespective of class, creed or race. I am certain that Hindus and Moslems, and Christians, Europeans and Indians, all feel that there has been a glaring neglect of Bengal in the constitution of the Round Table Conference. I do not know what thoughts were predominant in the

minds of those who decided upon the personnel of the Round Table Conference. In the ordinary course, it was necessary that the Conference should be as representative as possible. For purposes of representation, it should have been remembered that while Indian unity was an ideal which had to be worked out, such unity would be placed on an unsound foundation if the diversity attaching to the various provinces and States of India was not fully recognised.

Mr. NARENDRA KUMAR BASU: Is Mr. Bose reading out his own speech or that of Mr. B. C. Chatterjee?

Mr. S. M. BOSE: No, it is my speech.

Mr. NARENDRA KUMAR BASU: What I wanted to know was whether reading out of a speech is allowed.

Mr. PRESIDENT: It is nothing new and you are not a new comer in this Council. (Laughter.)

Mr. S.M. BOSE: If India is going to be a Federation, it was necessary that the different federating units should be duly represented at any Conference called for the purpose of stabling the basis of unity. The organisers must have in some matters thought in the same way, as amongst the Indian delegates, there were 16 delegates from the Indian States and 57 from British India. Of the 57 delegates, 4 were from Burma, and 3 represented Britishers who were not permanently settled in India, 1 represented the Anglo-Indians, and Sir B. N. Mitra represented the financial side of the Government of India. The injustice of the appointment happened when it came to selecting representatives from British India. The representation of the British Provinces was as follows:—

Bombay	13
Madras	11
Punjab	7
United Provinces	6
Bengal	5
Behar	2
Central Provinces	2
Assam	1
North-West Frontier Province	1

If you exclude the 2 lady delegates from the above list, you reduce the figure for Madras from 11 to 10 and of the Punjab from 7 to 6.

As regards the importance of Bengal, it is hardly necessary to recite facts. It extends over 82,000 sq. miles, with a population of over 47½ millions. It possesses the second city in the British Empire. The capital of Bengal has a large cosmopolitan population. Calcutta is not only an important port, it is one of the largest railway centres in the East. It has a large and growing population. Bengal is the cradle of the new life that is pulsating throughout India at the present day. The Hindu-Moslem question has a peculiar aspect in Bengal not to be found in any other province, inasmuch as the two communities are not very unequal in number and there is no third community like the Sikhs in the Punjab; and these two communities have generally lived in amity and in close association for centuries. Further, Bengal is an agricultural country and, as such, its interest is different from that of a manufacturing province like Bombay and needs special safeguards. In matters of taxation, for instance, it may well happen that what would be beneficial to Bombay would be injurious to Bengal. The recent additional duty on salt is an example. All these and other questions render it necessary that Bengal should have full and adequate representation on the Round Table Conference. In customs, income-tax and otherwise, we supply a substantial part of the resources of the centre. But while we are made to pay the piper, others are placed in a position to call for the tune. Our problems are peculiar to our Province and the conditions in which we have to work. We should be given such representation as will enable us to make our voice effective. The numerically weak representation that has been given to us makes our voice too diluted to be heard. The smallness of our representation as compared with that of other provinces and the inadequacy of our representation are keenly and widely felt in Bengal.

I shall refer to the Federal Structure Committee now. We in Bengal are expected to give up a large part of our revenues and rights in order to constitute the Federation of India. But we are completely shut out from the Federal Structure Sub-Committee which has very important functions. Other federating units will speak for us on that Committee, and will lay down the rules by which our future will be governed. It may be that some monstrous injustice like the Meston Settlement will be perpetuated on us without our being in a position to raise our little finger against it. Later on, in the plenary session, the few that represent us there may no doubt have their say. But when once details are worked out, and conclusions arrived at, at an important Committee specially appointed for the purpose with the Lord Chancellor as Chairman, there will be little chance of those conclusions being modified in a large gathering. We in this Province were amazed at the total exclusion of Bengal from the most important Committee of the

Conference, the Federal Structure Committee. We raise our voice in emphatic protest against this injustice, and I hope our voice will have the hearing it deserves.

We have not the least doubt that His Excellency the Governor has taken note of the deep public feeling in this Province. It is our earnest desire that immediate steps should be taken to communicate our views to His Excellency the Viceroy and the Secretary of State so that both our grievances may be remedied, and we may be given proportionately such representation as will give us effective voice in the deliberations of the Round Table Conference and of the Federal Structure Sub-Committee.

Sir, we desire to protest against this instance of disregard of the feelings of Bengal. Time there was when Bengal opinion led India, but now she has fallen and none so poor as do her reverence. It is our earnest desire to raise Bengal to her former position. We desire that she should take her rightful place in India. We only ask for justice, so that when Bengal gets provincial autonomy, she will not start in any way handicapped.

With these few words, I commend the resolution for unanimous acceptance in the Council.

4 p.m.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I desire to take the earliest possible opportunity to indicate the attitude of Government with regard to this resolution. Whatever our sympathies may be, it is perfectly obvious that we cannot enter into any detailed discussion of the subject of the resolution. All I can say is that we shall forward a copy of the proceedings of to-day's debate to the Government of India at the earliest possible opportunity for such action as they may think fit to take.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Sir, I beg to support the resolution which has been just moved by Mr. Bose. Ever since the appointment of the representatives from Bengal to the Round Table Conference, a feeling of dissatisfaction—I may say of discontent—has been growing in Bengal that she has been shabbily treated as far as representation to the Conference is concerned. This feeling, Sir, is particularly strong among the Mussalmans of Bengal, as was voiced in a recent resolution passed at the All-Bengal Muslim Conference held at Dacca a few days ago. I may say, Sir, that Bengal is perhaps the most important province in India so far as politics are concerned. During the last half a century Bengal has led the fight for self-government, and now that the goal is in view and a new constitution is being framed, it seems very unfair that Bengal should be relegated to the background. It is proposed, and probably it will

materialise, that the future government of this country will be federal. In that case, Bengal should probably occupy the most important position in that constitution, and yet, Sir, in the Committee which has been formed to frame the constitution Bengal has not been represented at all. This seems to me to be very unfair, as has been emphasised by the mover of this resolution. This matter should be brought to the notice of the Government of India and the Secretary of State.

The mover has also referred to the Meston Settlement, under which, as you are aware, Sir, Bengal is groaning. The financial condition and the economic troubles of Bengal are matters of concern to all, and ought to be brought home to the members of the Round Table Conference; this cannot be done unless Bengal is properly represented on the Committee which is dealing with the financial aspect of the constitution.

The communal problem in Bengal is perhaps most difficult and acute. It is not understood why Bombay and the United Provinces should be made to take the burden and brunt of handling the communal question much more than the representatives of Bengal who are more concerned in this matter than the people of those provinces. I am sure, Sir, that if more members of both the communities were sent as representatives to the Round Table Conference from Bengal, then the vexed questions of communal electorate and representation would have been more satisfactorily and more easily solved than it has been possible for the representatives from Bombay and the United Provinces to settle. In this connection, I may be permitted to refer to the practical suggestion which was made by Mr. B. C. Chatterjee some days back for solving some of the outstanding differences between the Hindus and the Mussalmans. Whether that suggestion is acceptable to the Muhammadans or not or whether the Hindus like it or not, it cannot be denied that after the serious attempt made by the late Mr. C. R. Das nobody else has come forward to formulate any practical scheme for solving the differences between the two communities. Mr. B. C. Chatterjee has undoubtedly most earnestly and seriously tried to handle this question. If we have more men at the Round Table Conference from Bengal, and if they set about to solve this question with the same earnestness, the same sincerity, and the same breadth of vision, I doubt not that the differences between the two communities will soon disappear. Of all the provinces, Bengal, I believe, has got the largest Mussalman population in India. It has more than a quarter of the whole Mussalman population of India, and yet Bengal has got only two representatives, while the United Provinces and Bombay have been much more liberally treated. As I have already submitted, I do not understand why the United Provinces and Bombay should be asked to take the responsibility of handling the communal question, which perhaps can be easily settled if more representatives from Bengal and

the Punjab are sent to the Round Table Conference. It is not understood why Bengal particularly should be treated in this fashion. Is it because that Bengal is so far away from Delhi, is it because that the voice of Bengal Mussalmans is so feeble, is it because that the Bengal Mussalmans co-operated most heartily with the Simon Commission, or is it because that they supported the initiation of the Round Table Conference? Is it right that the Bengal Mussalmans should be made the butt of ridicule for having co-operated with the Government and supported it? The Bengal Mussalmans, as everybody knows, think very slowly; they act still more slowly. But, believe me, Sir, that in this particular question they are thinking and have begun to act, as was evident at the conference at Dacca, where marked disapproval was shown of the conduct of some delegates by cries of "Walk out" and "Resign" by the majority of those present. It will be a great pity if this real grievance of the Mussalmans is not redressed and allowed to crystallize so as to be the cause of the failure of the Round Table Conference.

Mr. J. N. GUPTA: Sir, I beg the indulgence of the House to say a few words in support of the resolution which has been moved by Mr. Bose. I am sure, Sir, that it is not necessary for me to go over the same ground again in order to prove that Bengal has been very shabbily treated in this matter. To take the figures of our population, to take our past history, to take our importance in matters educational and commercial, as compared with the other provinces, there cannot be any question—any doubt—in the mind of any impartial person, that this Province has not received just and proper treatment in the hands of those who are responsible for the administration of this country. But, Sir, as I have already stated, it is not necessary for me to go over the same ground again. I would ask some practical questions. Is it too late now to take any action in this matter? Has the matter gone so far, that no modification is possible? The Hon'ble the Home Member just now assured us that he will lose no time to communicate to the Government of India and the Secretary of State the views of this Council, and I am glad to hear from Mr. Momin that the great Muslim community of Bengal is with the Hindus on this point. It is, however, necessary to take immediate action.

4-15 p.m.

The second question I wish the House to consider is whether, considering the change proposed in the Conference will be right, it will be possible for the new members to come to a final decision. Personally I think it is possible after reading the resolution of the Sub-Committee, it is quite obvious that no final decision can be arrived

at at this stage, or completely disposed of without further argument. Therefore it seems to me that it is not yet by any means too late, especially in the manner in which this Bengal representation has been ignored, and it is nothing but right that the financial position of the future of the Province should be in the keeping of a proper representation, and should not be allowed to continue in the deplorable condition in which it is now.

It is true that the Federal Structure Committee has given this subject very little consideration at present. The revenue for each province will have to be considered and settled. The Report clearly stated that the discussion at the time was only provisional, and would only be confirmed after further consideration. At the preliminary session of the Conference Mr. B. Rama Rao made an important speech on the financial question generally, and touched upon every subject; he clearly discussed the most important and vital principle of all, namely, the financial position of the provinces and their resources. Unless we have this clearly considered, we cannot expect any decisions on this important subject. Therefore I think that it is very necessary that Bengal should send up men who will be able to bring this aspect of our case forcibly and in an able manner before the Conference. Reasons have been given by previous speakers why Bengal has been ignored in this matter—an unfortunate admission it may be—an important matter like the future constitution of India. It would not be possible to confine representation according to numerical strength in each province, but they ought to select men of brains and intellect who can place their arguments before the representatives of the British Government. It cannot be denied now that a Federal constitution has been discussed and accepted by the whole of India, the time has now come when each province should have the right to lay its special grievances before this Committee. This is a demand in which the House should agree with me and combine in demanding that we should have proper and adequate representation. I therefore strongly support this resolution.

Sir LANCELOT TRAVERS: Speaking generally, my Group desires to support the resolution before this Council with which I have every sympathy. It is not necessary for me to make a long speech. It is obvious, it is known to everyone of us here, and it should be known to everyone in India that Bengal has its own particular wants and its own particular difficulties. Beyond that, so far as I have been able to discover after a very careful perusal of the proceedings of the Round Table Conference, a number of those important difficulties were either not discussed there at all, or received entirely inadequate attention, and therefore the proposal before the House, which we hope will lead to discussion in the future, is one which has all our sympathy. Further,

I hope that the Round Table Conference of the future will contain a considerably larger number of Bengalis and particularly do we approve of a larger representation for Bengal Muhammadans.

Mr. NARENDRA KUMAR BASU: I confess to considerable hesitation in speaking on this resolution and my hesitation arises—I say this not in any way of complaint, because of the ruling given by you. Even though some of the sentiments of this resolution are such as have my sympathy and support, I cannot say that the wording of the resolution is such that I can wholeheartedly support it. Firstly one of the words used is the "representation" of Bengal. I would like to know what is meant by that word. So far as we know, a resolution that was moved in this Council some time about a year ago for having representatives of this Council elected to the Conference, was, wonder of wonders, turned down. Therefore Government sent their own representatives to the Round Table Conference men whom this House did not elect. So far as the members who have gone to the Round Table Conference, so far as they are concerned, I must say that to use the word "representation" with reference to some of them at least, will be positively a misnomer. One of them, my esteemed friend Sir P. C. Mitter, is an official, and I have still to learn that an official represents the voice of the majority, e.g., of a considerable portion of non-official Bengal.

Mr. PRESIDENT: I am afraid, Mr. Basu, you are going beyond the scope of the resolution.

Mr. NARENDRA KUMAR BASU: I stand corrected, but I submit that when the resolution says that the representation of Bengal is meagre and insufficient, I must protest against that; I want to go further and say what is absolutely true, that Bengal was not represented at the Conference at all. So far as this Council is concerned, it turned down the motion to send elected members of this Council to the Conference, and the Government of India have never, so far as I know, up till now suggested that they should send representatives of the provinces from the Council, but sent representatives of the local Government, or their own representatives to the Conference. I submit that there was no question of representation of the provinces, when they were sending members of their own Government; they are sending men in whom they have confidence, men whom they want to represent them in the Conference. Therefore if, as I say, the question is raised of the meagre representation of Bengal—I do not care for other provinces—I will say that not only is there no question of the meagre or insufficient representation of Bengal, but that Bengal has been ignored entirely, and this Council ought to put forward its voice and say that if the Province is to be represented at the Round Table

Conference, its representatives should be selected or elected on some basis or other which non-officials can understand. It is not a question of bad representation, but we have been neglected and we have been ignored.

Mr. P. N. GUHA: The whole country has been ignored as far as I know.

Mr. NARENDRA KUMAR BASU: I will not reply to any interruptions, and I will not say anything about the rest of the country so far as this question is concerned. But I am concerned only with my own Province, and I say that the representation of the Province is not only meagre and insufficient, as this resolution says, but I will go further and say that it is not represented at all. A previous speaker has mentioned the question of the Hindu-Moslem differences, a question which touches Bengal and no other province, at least, not in an equal degree, a question which cannot be settled at a Conference in which neither Hindus nor Moslems of Bengal have real representatives at all. I submit that they do not want us to be so represented; neither the Government of India nor the other representatives of India at the Conference want Bengal to be properly represented. We are not wanted at the Conference at all. We have been slighted as much by the officials as by the people in other parts of the country. I suspect this is due to our aloofness, our superciliousness—one of the fruits of the close association with Englishmen. People of the rest of India think we consider ourselves superior to them, and they have left us alone in this superiority complex. The Government of Bengal have not attempted to do anything to see that the non-official portion of Bengal was properly represented at the Round Table Conference. If it is not too late now, I would certainly support the idea underlying the resolution though not the language of it.

Dr. NARESH CHANDRA SEN GUPTA: Like Mr. Basu, I am in entire sympathy with the basic idea of this resolution. The idea that where a Conference is held out to the world as representing the people of India, those people ought to receive proper and adequate representation on it. So far as this resolution expresses resentment and discontent at this idea and particularly at the insulting treatment of Bengal in particular, it has my fullest sympathy. But at the same time I say that it is entirely wrong to say that the representation of Bengal at the Round Table Conference has been meagre. As Mr. Basu has said there has been no representation of Bengal at all, and one of the representatives of Bengal to the Conference, Mr. Fazl-ul Huq, made it perfectly clear to the Conference that he represented nobody but himself at the Conference. It is impossible that this thing, which I cannot but look upon as more or less of a solemn jest, should be put forward as real representation of the

people, and for this reason it hurts my self-respect to some extent to be quarrelling about the measure of representation on that body. Bengal has not been represented, and those who have been looked upon as representatives of Bengal, do not represent Bengal at all, but only Calcutta. The rest of Bengal is practically left out altogether.

4-30 p.m.

The representatives of Bengal should represent in a very large measure the agriculturists of Bengal, but they were altogether ignored. The representatives of Bengal should represent an adequate number of Hindus and Muhammadans who are prepared to solve their own problem in their own way. Well we have not that number and in the matter of representation of the Hindus and Muhammadans we have been given certain names which, it is no disrespect to them to say, do not necessarily command the confidence of the Hindu or Muhammadan Bengal. That being the position the whole scheme of representation of Bengal is really a solemn farce, and because I protest against the whole scheme that I find it difficult to agree to the wording of the resolution while I am in perfect sympathy with the spirit underlying it.

Maulvi SYED JALALUDDIN HASHEMY: Sir, this is the fifth time that I have attempted to catch your eye.

Mr. PRESIDENT: Order. Order.

Babu JITENDRALAL BANNERJEE: From the vehemence of speech and action of Messrs. Narendra Kumar Basu and Naresh Chandra Sen Gupta, it almost appeared as though they were going to oppose the resolution. But as they progressed in their speeches it emerged, that, so far from opposing, they went even further than the mover of the resolution himself. Dr. Naresh Chandra Sen Gupta agreed that Bengal had inadequate representation but was opposed to the wording of the resolution, while Mr. Narendra Kumar Basu was of opinion not only that Bengal was inadequately represented but that it was not represented at all in as much as her representatives had been selected and not elected. But, Sir, as was pointed out in repeated interjections by Mr. P. N. Guha, this was a grievance not peculiar and special to Bengal but a grievance which she shared with all the other provinces of India. If Bengal was unrepresented in Mr. Basu's sense of the word, then the same thing might be said of every other province of India. But the two previous speakers did not care how the other provinces of India might have fared; the burden of their charge was that Bengal was, not *ill*-represented but *un*-represented. I should have appreciated this criticism more if Mr. Narendra Kumar Basu had only stated wherein real representation consisted. Besides, Sir, the method of representation might not

have been perfect. But, having chosen a particular method and having acted upon it already, was it any use harking back to the past and raking up questions which had already been settled?

Mr. NARENDRA KUMAR BASU: Even the personnel of the Conference has been settled.

Babu JITENDRALAL BANNERJEE: I do not know. You may have inside information. I have not. Both Mr. Narendra Kumar Basu and Dr. Naresh Chandra Sen Gupta spoke against representation by selection; but do we not know from our own experience that even election does not always mean election of real representatives? There are so many of us here; and can we all claim a representative character for ourselves? On the other hand, there are men, whom I need not further specify, who may well be described as representative men—and it does not matter to their representative character whether they are sent up by a process of election or of nomination.

Sir, in the otherwise well-balanced speech of Mr. S. M. Bose, there was one sentence which is repeated *ad nauseum* from the press and the platform of the Province—a sentence from which I have recorded my strong dissent on many previous occasions, and to which I wish to enter my emphatic opposition even now. Mr. Basu said—with that funereal manner which he affects on special occasions and with that lugubrious voice in which he may be said to specialize—that Bengal had fallen: and waxing poetic, in the excess of his emotion, he went on to say that there was none so poor as to do her reverence. This is the sort of thing that appears week after week in the columns of a journal that boasts of having the widest circulation in the country; and a charge more silly, more sweeping and more unfounded I could scarcely conceive.

According to these people's view of the matter, Bengal went on rising, rising in a sort of upward curve, as it were, till somewhere, at some time, there was a sudden and unaccountable collapse. Some, like Sir P. C. Mitter, would date the collapse from 1917 when the old moderates seceded from the Congress, while others like Mr. P. N. Guha, over there, would date it from 1925 when Mr. C. R. Das died. But whatever the varying period may be, all these gentlemen agree in thinking that Bengal has fallen—a sentiment from which I most thoroughly dissent. Bengal, Sir, is very much alive, and it is an insult to Bengal and an unjust libel on her to say that she has fallen. This sort of uncritical, unhistorical method, whereby you pick up a period of five years or so and fix attention upon its comparative sterility, forgetful of the fertility and abundance of all the years that went before, makes me sick. Sir, Bengal leads even now. She leads in the comparatively trifling detail of population; she leads in the more important matter of wealth-production, howsoever that wealth

may be distributed; she leads in contribution to the Central Government; above all, she leads in the number, influence and solidarity of her educated classes. Lastly—and this is a point which is too often overlooked—she still leads in the matter of political agitation—a lead begun in 1885, consolidated in 1905, reasserted in 1920 and worthily upheld as late as 1930.

Besides, there is another matter which these gentlemen leave out of consideration in dealing with this question. Wherein consists the greatness of a country or province? Sir, the importance of a country is not to be measured by the wealth it produces or the quantity of goods it exports or imports or the abundance of its commercial commodities. The importance of a country has always and everywhere to be judged by one criterion only, viz., the contribution it has made to the art, the literature, the thought and the philosophy of the world. So far as that is concerned, it is not a question of Bengal being superior to the other provinces—she is the only province which has a record to show while that of the other provinces is a mere blank. In this all-important respect, Bengal leads—and the rest of India but follow.

Sir, in deciding this question of proportionate representation for the different provinces, it will not do to forget that there are problems which are peculiar to Bengal. Take, for instance, the organisation of society here. It differs very greatly from that of the other provinces of India. The personal law of the Bengali Hindus is very different from the personal law of the Hindus in other provinces. Take again the question of land tenure; here, too, Bengal has problems peculiar and special to herself. Again, the economic conditions of Bombay and Bengal are entirely different. Bombay is very largely industrialised; Bengal also is partly industrialised. But even here, there is a radical and fundamental difference, yea, difference and antagonism between the view-points and economic problems of the two presidencies. Only recently we were called upon to pay more, in the name of patriotism, for the consumption of Bombay salt; but will Bombay pay more, in the name of patriotism, for the consumption of Bengal coal? Up till now she has made no gesture in this direction; and without mutuality and give-and-take of this nature, the divergence between the two provinces, already acute in some respects, will go on increasing and not lessening.

As regards the communal problem, I am very much at one with what Mr. Basu suggested. The Hindu-Moslem problem of which we heard so much is practically the problem of Bengal alone, and in a lesser degree of the Punjab. In the rest of the provinces, which are either overwhelmingly Hindu or overwhelmingly Muhammadan, the question of joint or separate electorates is hardly a practical issue in politics. What communal problem can there be in the Central Provinces with its less than 5 per cent. of Muhammadan population; in Madras with its less than 7 per cent., in Bombay, *minus* Sind, with

its less than 10 per cent. or in Bihar and the United Provinces where they are less than 15 per cent.? What does it matter whether you have joint or separate electorates in these provinces? How can it affect the character or constitution of their legislative councils? The majority community will always be in the majority; and there is no sleight of hand or political legerdemain by which you can convert an insignificant minority of 5, 7 or 10 per cent. into a decent minority of 33 or 40 per cent.—not to speak of equality or majority?

It is only in Bengal with its evenly balanced population that the problem emerges into acute importance. It is not so even in the Punjab, for in the Punjab this question arises only on account of the intervention of the Sikhs. Otherwise, if the Hindus and Muhammadans in the Punjab were left face to face, the Hindus would come to be about 30 per cent. while the Muhammandans would amount to something like 60 per cent. or so, and the numerical inferiority of the Hindus would be so patent and manifest that the problem would be solved almost automatically. It is only in Bengal where the difference in population between the two communities is about 10 per cent. that this problem exists and exists in its acutest form. It is only here in Bengal that the question assumes gigantic magnitude, and it is here that it must be solved not by patronizing outsiders, nor by amateur dabblers in constitution-making but by the patriotism and good will of the people who actually stand to lose or gain by the solution of this problem. And hence, so far as this question is concerned, it is from no personal or parochial vanity that I claim that towards the solution of this all-important problem, it is we Bengalis who can contribute most of all. If we are prevented from doing so, the problem will not be solved despite the blessings of Mr. Wedgwood Benn or of Mr. Ramsay Macdonald. Mere rose-water sentimentalities will not solve the problem but heart to heart and frank exchange of thought on the part of us Bengali Hindus and Bengali Muhammadans. Therefore, if you want to make the conference a success, not only a success in name but in deed and fact, if you want to remove the communal bogey once for all and arrive at a fair, true and permanent solution of this problem, Bengal must not be unjustly treated any longer. She must be given a fair and adequate share of representation on the Conference. Otherwise the parties that will suffer will not simply be Bengal but the whole of India and therefore the whole of the British Empire.

Mr. SHANTI SHEKHARESWAR RAY: It is rather unfortunate that this discussion should have started to-day. In listening to it I cannot but feel shame for the unreality of the whole thing. It is practically useless to discuss how Bengal is represented on the Round Table Conference at this stage. I say it is rather unfortunate because the discussion has aroused feelings of bitterness in this House seeing

that the representative character of the members of this House who were selected from Bengal have been challenged now for the first time. I ought to make it clear that I do not associate myself with the remarks of some of my friends sitting in this House. I think that in selecting the nominees from Bengal His Excellency the Governor exercised the greatest possible soundness of judgment. He selected the leader of the opposition Mr. J. N. Basu better than whom no other representative could be had at that stage in the political condition of Bengal. Mr. A. K. Fazl-ul Huq enjoys the foremost position in the public life of Bengal among the Muhammadans and enjoys the sympathy and esteem of a good number of Hindus too. In selecting Sir P. C. Mitter as one of the representatives I think he gave the best possible representation to the zamindars.

Dr. NARESH CHANDRA SEN GUPTA: I rise to a point of order, Sir. Is it open to the hon'ble member to discuss the personnel of the Round Table Conference when you stopped Mr. Narendra Kumar Basu when he was speaking on this feature of the case?

Mr. PRESIDENT: I stopped Mr. Basu because I thought that a member should not indulge in personalities; but there is no doubt that you and some others threw out a challenge in respect of selections which were made last year, and I think the speaker was justified in voicing the sentiments of those who have confidence in the representatives chosen. But he need not labour that point any further and get back to the subject matter of the resolution.

Mr. P. N. GUHA: May I rise to a point of order, Sir? Is it the Government of Bengal who selected the representatives from Bengal? So far as my information goes it is neither the Government of Bengal nor the Government of India but it was the Viceroy himself. It was his own prerogative.

Mr. PRESIDENT: The Government of Bengal or the Government of India might not have selected them, but it is not impossible that the Viceroy consulted them. But, that is a different matter. In any case, I would advise Mr. Ray not to bring in names into the discussion.

Mr. SHANTI SHEKHARESWAR RAY: Very well, Sir, I shall leave the personnel alone. As regards future representation I think it is rather late in the day to make any suggestion now. Most probably the new list is complete and I think no useful purpose will be served by passing this resolution. Of course I think the House would like as many members of this House as possible to be invited to the Round Table Conference, though I am not personally interested in the matter, as you know, Sir, I am a Barnashramist and I made my position quite

clear when this matter was discussed last year. I have no faith in the Round Table Conference as such.

Now, Sir, the real point which I want to challenge is this (and which Mr. S. M. Bose emphasised) that there was a keen desire that there should be additional representation from Bengal to the Round Table Conference.

4-45 p.m.

Sir, I think the members of the reading public not only in Calcutta but throughout the Province are more interested to-day in the fate of Mohanbagan than in the personnel of representation on the Round Table Conference. Sir, if there is any question to-day that is agitating the minds of the people of Bengal, it is the economic distress prevailing all over the country and that should be the first matter to be discussed in this Council, and instead of that we have this futile discussion in this House. The hon'ble member has attempted to show by appealing to the provincial spirit, as if everything would be smooth if the Round Table Conference were flooded with Bengal representatives, as if numbers would count there. Perhaps he has forgotten the decision of the Indian National Congress that when the question of representation of the Congress arose, the Congress decided that it would be represented by Mahatma Gandhi alone. If the most influential party in India is content with being represented on the Round Table Conference by the Mahatma alone, why should we ask for a larger number of representatives from Bengal? Sir, I think I represent and voice the opinion of a great majority of the people when I say that they are content to leave the representation in the hands of the Mahatma Gandhi as the representative of the nation.

Babu JITENDRALAL BANNERJEE: In violation of the views of the Mahatma why is the member here?

Mr. SHANTI SHEKHARESWAR RAY: It is not always that we accept the advice of experts. I do not know why others are here, but I am here on medical advice.

Mr. PRESIDENT: The matter before the House is one of considerable importance, and you are expected by me at least not to lower the debate to a level bordering upon levity.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I most respectfully submit that I am very serious on the matter and my one submission is that this Council should content itself with the representation of Mahatma Gandhi as the sole representative of the nation if he consents.

MUNINDRA DEB RAI MAHASAI: Mr. President, Sir, in rising to support the motion just moved by my friend Mr. Bose, I beg to emphasise the fact that the non-inclusion of a single Bengal representative in the Federal Structure Sub-Committee of the Round Table Conference is a slur on the importance and rather the intelligence of the people of Bengal—the fellow countrymen of Mr. C. R. Das and Sir Surendra Nath Banerjee—the father of Indian Nationalism and the maker of modern India. It was the great Gokhale who said that "What Bengal thinks to-day the rest of India will think to-morrow". The position which Bengal held in India is being deliberately ignored. It is inconsistent with the dignity of Bengal to take it lying down. We should with one united voice protest against this inequitous and shabby treatment and see that justice is done to Bengal. It must have a hand in the building up of the Federal Structure for India.

Another matter raised by the mover is the inadequate and meagre representation of Bengal in the Round Table Conferrence. Provinces inferior in area, population and resources have been given better representation than Bengal. We do not grudge it. What we want is that we should have larger representation so that the views of Bengal may be adequately and effectively represented in the Round Table Conference. We verily believe that on the success of the Round Table Conference depended the future prosperity of India, nay of the world at large. If it proved a failure we shudder to think of the future. It is bound to let loose numerous forces of disorder all over the land—the recrudescense of revolutionary activities on a wider scale and other concommitant evils would be inevitable which would make the solution of the outstanding problems by peaceful evolution absolutely impossible. The non-violent civil disobedience movement had its share in the world-wide depression in trade, commerce and exchange and if anarchical crimes followed the movement the authorities were bound to have recourse to stronger repressive measures and the result would be disastrous both for England and India. Suspicion and mistrust would then go on deepening, the continuance of which constituted one of the greatest political dangers.

We want the restoration of peace, good-will and amity. We want to co-operate to the fullest extent to make the Round Table Conference a success. To make it a success, Bengal should not be stifled by meagre representation but should be afforded equal opportunities to have its voice felt during the deliberations of the Conference. We therefore urge upon Government the importance of calling the immediate attention of His Excellency the Governor General and the Secretary of State for India to the urgency of the claims of Bengal to a larger representation on the Round Table Conference.

One word to my Muslim brethren. Let us compose our differences here and set out house in order instead of dragging the matter beyond the seas and be the laughing stock of the world. We should remember

that the political future of both the Hindus and Muslims are interconnected and mutual mistrust and differences will not advance the cause of either. True nationalism demands toleration and good-will between the two great communities without which the Round Table Conference is bound to be a failure which every true nationalist will deplore. I would therefore appeal to my friends to come to a settlement before our representatives leave the shores of India. Let us sink our differences and with an united voice demand our birth-right and freedom will be within our grasp in the shortest time possible.

I hope and trust that England—the proverbial land of liberty, the home of Milton, Burke and Gladstone—will not fail in the discharge of its duty to India in the hour of its need by listening to the counsels of the die-hards like the Churchills. God must have had a deep purpose in bringing to such close proximity two nations living at such great distance from each other as Englishmen and Indians. I believe it to be His purpose that the two great types of the cultures of the East and the West need to be blended into one great culture which is to be the future civilization of humanity. I do fervently hope that the dust and din of the struggle of to-day would not prevent British statesmen from casting their eyes towards the future of humanity and from giving India that scope and freedom which she so badly needs, within the bounds of their great Empire. It would then alone be possible for these two great nations—the Indians and the English—to march side by side for a good length of time in free and friendly companionship into the unknown future.

Khan Bahadur Maulvi AZIZUL HAQUE: I beg to move that the question be now put.

The motion that the question be now put, was then put and agreed to.

The motion of Mr. S. M. Bose was then put and agreed to.

Adjournment.

The Council was then adjourned till 3 p.m., on Tuesday, the 21st July, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Tuesday, the 21st July, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 113 nominated and elected members.

Starred Questions

(to which oral answers were given).

Union Boards, Chittagong.

*29. **Haji BADI AHMED CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is a fact that union boards are being reconstituted now in the district of Chittagong?

(*b*) If the answer to (*a*) is in the affirmative, are the Government contemplating establishing union boards in the subdivision of Cox's Bazar?

(*c*) If union boards are not intended to be established now in the Cox's Bazar subdivision, will the Hon'ble Minister be pleased to state when the question is likely to be taken up?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) Union boards in the Sadar subdivision are being reconstituted this year.

(*b*) The question is reported to be under the consideration of the local authorities.

(*c*) Government welcome the evidence of a demand for this extension implied in the question, but cannot forecast when union boards will be established in the Cox's Bazar subdivision until the Commissioner's proposals are received.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state whether he has received any report as to the willingness of the people to have union boards there?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I want notice.

Process-servers and civil court menials in Faridpur.

***30. Mr. SARAT CHANDRA BAL:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state—

(*i*) how many process-servers, office peons and orderlies are there at present in the civil courts of Gopalganj, Madaripur, Faridpur Sadar and Rajbari respectively, and

(*ii*) how many of them are—

(1) Hindus;

(2) Muhammadans?

(*b*) Is the Hon'ble Member aware that the number of process-servers in the different civil courts of the Faridpur district is insufficient?

(*c*) Are the Government considering the desirability of increasing their number?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) (*i*) and (*ii*) A statement is laid on the table.

(*b*) No.

(*c*) Does not arise.

Statement referred to in the answer to clause (a) of starred question No. 30, showing number and religion of process-servers, office peons and orderlies of the civil courts in the district of Faridpur.

Name of station.	Process-servers.			Office peons.			Orderlies.		
	Hindus.	Muhammadans.	Total.	Hindus.	Muhammadans.	Total.	Hindus.	Muhammadans.	Total.
Gopalganj ..	26	18	44	..	1	1	2	..	2
Madaripur ..	18	29	47	1	..	1	3	..	3
Faridpur Sadar ..	17	34	51	4	2	6	3	10	13
Rajbari ..	18	16	34	..	..	..	1	1	2

Civil court buildings at Dacca.

*31. **Babu SATYENDRA KUMAR DAS:** Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether necessary funds will be provided in the next year's budget for the extension of civil court buildings at Dacca as indicated in his reply to a motion under "41A—Civil Works" moved on the 30th March, 1931?

The Hon'ble Mr. W. D. R. PRENTICE: No decision has yet been made, as the time for framing the budget has not yet arrived.

Babu SATYENDRA KUMAR DAS: Will the Hon'ble Member be pleased to state when the extension of the civil court buildings will be taken up?

The Hon'ble Mr. W. D. R. PRENTICE: I cannot forecast the Finance Member's recommendations.

Memorial by the employees of the Calcutta Society for the Prevention of Cruelty to Animals.

*32. **Maulvi Syed JALALUDDIN HASHEMY:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether he has received a memorial submitted to him by the employees of the Calcutta Society for the Prevention of Cruelty to Animals?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether any action has been, or is intended to be, taken in the matter set forth in the memorial?

(*c*) If the answer to clause (*b*) is in the negative, are the Government considering the desirability of appointing a committee of inquiry to ascertain the truth of the allegations made by the memorialists and redress the grievances of the employees as prayed by them? If so, when?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes.

(*b*) None.

(*c*) No.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member in charge be pleased to state whether it is a fact that the Superintendent of the Society is drawing conveyance allowance now when she is on leave in England.

The Hon'ble Mr. W. D. R. PRENTICE: I have no information.

Maulvi JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state whether it is a fact that she had been drawing her income tax from the Society's funds for the last seven years?

The Hon'ble Mr. W. D. R. PRENTICE: I would like to point out that this Society is run by a large Committee over which a High Court Judge presides. Government have nothing to do with the running of the Society and they have nothing to do with the details.

Superintendent, Campbell Medical School.

***33. Mr. S. M. BOSE:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state the reason why an I.M.S. officer is being appointed as Superintendent of the Campbell Medical School in place of a Bengal Medical Service officer who has been temporarily holding the post for one year past?

(*b*) Is it a fact that the post of Superintendent of the Campbell Medical School has been reserved for the I.M.S.?

(*c*) Will the Hon'ble Minister be pleased to state whether any decision has been arrived at in this matter as a result of any correspondence between the Local Government and the Government of India?

(*d*) If the answer to clause (*c*) is in the affirmative, are the Government considering the desirability of placing the relevant correspondence on the table?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) and (*b*) From the orders of the Secretary of State of 1923 and the *communiqué* of 1928, copies of which are placed on the table, it will be seen that the post of Superintendent of the Campbell School and Hospital was reserved in 1923 but not in 1928. From paragraph 8 of the *communiqué* it will be clear that these orders were not complete and further orders of the Secretary of State were expected formulating proposals to protect the existing rights of I.M.S. officers left surplus under the scheme and holding appointments reserved under the scheme of 1923. These orders of the Secretary of State have since been received and he has intimated that I.M.S. officers in civil employ prior to April, 1924, should be

regarded as having a claim to posts carrying increased pay or offering opportunities for specialisation which were reserved in 1923 but not in 1928. The Superintendent's post carries with it increased pay, and under these recent orders of the Secretary of State, becomes reserved for the I.M.S. at present.

(c) Yes.

(d) The attention of the member is invited to section 28, Legislative Council Rules and Standing Orders. A statement of facts has been given in the reply to clauses (a) and (b) of this question.

Secretary of State's orders of 1923 referred to in the reply to clauses (a) and (b) of starred question No. 33.

REGULATIONS UNDER RULE 12 OF THE RULES MADE UNDER SECTION 45A OF THE GOVERNMENT OF INDIA ACT.

The posts under Local Governments specified in Schedule I of these regulations are reserved for officers of the Indian Medical Service.

2. If on the date on which these regulations are made a post under a Local Government not specified in Schedule I of the rules is occupied by an officer of the Indian Medical Service, the post shall continue to be reserved for officers of the Indian Medical Service until such time as, in the opinion of the Governor-General in Council, its reservation in the interests of the incumbent becomes unnecessary.

3. In case of necessity a Local Government may leave a post included in Schedule I to these regulations unfilled, or may fill it otherwise than by the appointment of an officer of the Indian Medical Service, in either case for a period not exceeding six months, but shall report forthwith through the Governor-General in Council to the Secretary of State in Council that a reserved post has been left unfilled or has been filled otherwise than by the appointment of an officer of the Indian Medical Service, together with the reasons for its action. If the Secretary of State in Council is not satisfied of the necessity for the action taken by the Local Government, he may direct that such vacancy shall be filled forthwith or that an officer of the Indian Medical Service shall be appointed to such posts forthwith.

4. It shall be open to the Local Government at the time of reporting action taken as provided in the foregoing regulation, or at any time subsequent within the period of six months, to request that a post reserved for an officer of the Indian Medical Service may be left unfilled, or may be filled otherwise than by the appointment of an officer of the Indian Medical Service, for a period in excess of six months. It will rest with the Secretary of State in Council to decide

whether or not the continuance of such an arrangement may be sanctioned for a period of 12 months beyond the expiry of the first six months. It shall further be open to a Local Government within the period for which an extension is granted to make a further application for extension. The Secretary of State will dispose of such further application as if it were a first application for extension.

5. The officers of the Indian Medical Service eligible to hold the posts included in Schedule I to these regulations shall be those officers of the Indian Medical Service who are posted by the Governor-General in Council to the Province concerned. In the matter of such postings the Governor-General in Council may delegate such powers as he pleases to the Director, Medical Services, and to the Director-General, Indian Medical Service.

6. The posts specified in Schedule II to these regulations shall be filled by the nomination of the Governor-General in Council.

7. The above regulations are declared to be provisional and without prejudice to the final orders to be passed by the Secretary of State in Council when he has received and considered the report of the Royal Commission on the Public Services.

SCHEDULE I.

(Bengal.)

1 Surgeon-General with the Government of Bengal.

1 Inspector-General of Prisons.

4 Superintendents of Central Jails.

1 Principal, Medical College, Calcutta.

4 Professorships at the Calcutta Medical College, viz., Surgery, Midwifery, Ophthalmic Surgery, and Pathology and Bacteriologist to Government.

1 Superintendent, Campbell Medical School and Hospital.

1 Superintendent, Presidency General Hospital.

2 Resident Surgeons, Presidency General Hospital.

14 Civil Surgeoncies, 24-Parganas, Howrah, Serampore, Hooghly, Dacca, Darjeeling, Rajshahi, Jalpaiguri, Berhampore, Chittagong, Barisal, Mymensingh, Midnapore and Noakhali.

Total—29 plus leave and study reserve at 27½ per cent.=8 or 37.

SCHEDULE II.

Surgeons-General.
Inspectors-General of Civil Hospitals.

Director of first class Provincial Bacteriological Laboratories and Pasteur Institutes.

Communiqué referred to in the reply to clauses (a) and (b) of starred question No. 33.

GOVERNMENT OF INDIA.

DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

Simla, the 10th May, 1928.

PRESS COMMUNIQUE.

In paragraph 23 of their report the Royal Commission on the Superior Civil Services in India recommended that a Civil Medical Service should be constituted in each province, provision being made for the maintenance of a sufficient number of British officers to provide adequately for medical attendance on the British members of the all-India Services and their families. The Government of India have since been in correspondence with local Governments and with His Majesty's Secretary of State for India on the question of giving practical effect to these recommendations, and the Secretary of State has now sanctioned the following scheme, which is based on proposals framed in consultation with local Governments.

2. The Indian Medical Service constituted on the same broad lines as at present will be retained, primarily to meet the needs of the Indian Army. In order to maintain the necessary minimum war reserve of military medical officers, and to provide European medical attendance for European officers of the Superior Civil Services and their families, local Governments will be required to employ a stated number of Indian Medical Service officers. The Government of India will draw on the same service to meet the requirements of the civil administration for which they are responsible.

3. *War Reserve.*—It has been calculated, on as precise a basis as possible, that the war reserve to be employed by the civil side should consist of 134 British and 66 Indian officers. The larger number of British officers is due to the fact that British officers cannot be recruited in India in an emergency from the ranks of private practitioners.

4. *Civil requirements.*—The other factor which enters into the reckoning is the need for making adequate arrangement for medical attendance on the British personnel of the Superior Civil Services and their families, and for the requirements of the civil administration for which the Central Government are responsible. This factor includes the provision of a number of appointments, hereafter termed "residuary," the incumbents of which must be retained permanently in civil employ, so as to ensure continuance of a skeleton staff to cope with the medical requirements of the civil Government, whether for the purpose of treatment, or of administration, and, who cannot, therefore, be treated as part of the war reserve.

5. Working on these data, the total number of Indian Medical Service officers, required for civil employ is calculated at 302. The details are given below:—

(I) War Reserve	...	200
(II) For "residuary" posts in provinces	...	46
(III) Requirements of the Foreign and Political Department	...	17
(IV) Jails	...	8
(V) Special posts under the Government of India	...	14
(VI) Port Health Officers, Bombay and Aden	...	2
(VII) Reserve of 5 per cent. as allowance for officers who would not be available on mobilisation owing to illness	...	15
Total	...	302

(The figures shown against (II), (III), (IV), (V) and (VI) represent "residuary" posts). Of the total of 302, 212 will be Europeans and 90 Indians.

6. To provide employment for 302 officers, 237 posts are required. The remaining 65 officers will constitute the leave and study leave reserve calculated at 27½ per cent. Of the 237 posts, 59 are available under the Government of India, including posts in the Foreign and Political Department; and 178 posts will be provided in the provinces. 112 of the 178 posts primarily represent the requirements of the Civil Services in the matter of European medical attendance, and must be held by British officers. This estimate of the

medical requirements of European members of the Superior Civil Services and their families is based on data which will change from year to year, as the proportion of European to Indian civil officers gradually diminishes. It will, therefore, be subject to periodical scrutiny and, if necessary, revision. The remaining 66 posts will be open either to Europeans or Indians. 28 out of the 59 appointments under the Government of India will similarly be open to officers of either race. Complete lists of (*a*) posts to be reserved for the Indian Medical Service, and (*b*) reserved posts for which Indian officers of the service will be eligible, either equally with European officers, or exclusively, are printed as annexures I and II respectively with this communiqué.

7. Under regulations framed by the Secretary of State in Council in 1923 under Rule 12 of the Devolution Rules, 268 appointments are at present reserved for the Indian Medical Service in provinces. The new scheme, which reserves only 178 posts for them, will gradually release 90 posts for the Provincial Medical Services. It represents the maximum which can at present be set apart for these services, consistently with the need for providing economical employment in peace time for the medical war reserve of the Indian Army, and with the obligation to provide European doctors for the European personnel of the Superior Services.

8. The adoption of the new list of reserved posts will leave, on the civil side, a surplus of Indian Medical Service officers who are now holding appointments which are at present reserved for the Service. The existing rights of these officers will be fully preserved, and prospects equivalent to those afforded by the present list of reserved posts will be retained for them. These prospects will be allowed to diminish only *pari passu* with the absorption of the surplus which will exist until the number of Indian Medical Service officers now in civil employ is equal to the number of posts reserved for them in the new list. The detailed measures required to safeguard the prospects of Indian Medical Service officers already in civil employ are now being worked out.

9. In the interests of the Army, the local Governments and of officers themselves, the following rules will come into force forthwith as an integral portion of the scheme:—

(1) Liability to serve on either the civil or military side will be a definite condition of service for all future entrants to the Indian Medical Service;

(2) No officer will be transferred to civil employment without the consent of the Government of India and the local Government;

(3) An officer transferred to civil employment will not ordinarily be liable to be recalled to military employment (except on general or partial mobilisation) without the consent of the local Government, but the Government of India will retain the power to recall an officer against the wishes of a local Government in very exceptional cases of absolute necessity;

(4) A local Government will not be at liberty to return to military employment an officer transferred to civil employment without the consent of the Government of India;

(5) All officers in civil employment (including those now in the service), about a year before the date on which they are expected to be due for promotion to the rank of Colonel, will be required to state whether they wish to return to military employment in order that they may be considered for promotion to administrative rank;

(6) Those officers who elect to return to military employment will be recalled and employed in a position suitable to their rank, without, however, any guarantee of eventual promotion;

(7) The case of each officer will then be considered on its merits when his name comes up for promotion, and (*a*) those considered suitable for military promotion will be retained on the military side until promoted to administrative rank, after which they would not normally revert to civil employment; while (*b*) those not considered suitable for promotion will normally revert to civil employment, or subject to the approval of the military authorities, be given the option of remaining in military employment in the rank of Lieutenant-Colonel until retirement;

(8) Those officers who do not elect to return to military employment will either (*a*) sever their connection with the Indian Medical Service and become members of the Provincial Medical Service on such terms as may be mutually agreed upon between themselves and the local Government, in which case they will cease to belong to the war reserve, or (*b*) will continue to belong to the Indian Medical Service, in which case they will be eligible for further promotion on the civil side, and will continue to belong to the war reserve, provided that they do not hold residuary appointments; also they will be eligible to receive promotion in military rank, as at present, on the basis of the civil administrative posts which they hold;

(9) An officer who desires permanent civil employment, but does not succeed in obtaining it, will be guaranteed employment in the military medical services, unless he is unfit for active service, or there is some other equally valid impediment to his being employed on military duties.

ANNEXURE I.

Statement showing civil appointments to be reserved for officers of the Indian Medical Service.

Government of India.

(Department of Education, Health and Lands and Home Department.)

*1 Director-General, Indian Medical Service.

*1 Deputy Director-General, Indian Medical Service.

@2 Assistant Directors-General, Indian Medical Service.

*1 Superintendent, X-Ray Institute.

1 Imperial Serologist.

*1 Chief Medical Officer, Delhi.

*2 Civil Surgeons, Simla.

1 Civil Surgeon, Coorg.

1 Health Officer, Simla.

*1 Assistant Director of Public Health, Delhi.

@15 Medical Research Department appointments.

*1 Senior Medical Officer, Port Blair.

1 Civil Surgeon, New Delhi.

*1 Public Health Commissioner with the Government of India.

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Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 1 Assistant Director-General, Indian Medical Service and 11 officers of the Medical Research Department are liable to be recalled on mobilisation.

(Foreign and Political Department.)

(*a*) 1 Residency Surgeon and Chief Medical Officer, Baluchistan.

(*a*) 1 Civil Surgeon, Quetta.

(*a*) 1 Civil Surgeon, Sibi.

1 Agency Surgeon, Bundelkhand.

1 Agency Surgeon, Bhopal.

*1 Administrative Medical Officer, Central India and Residency Surgeon, Indore.

*1 Residency Surgeon, Hyderabad.

*1 Residency Surgeon, Kashmir.

*1 Agency Surgeon, Gilgit.

1 Agency Surgeon, Meshed.

*1 Residency Surgeon, Bangalore.

*1 Legation Surgeon, Nepal.

*1 Medical Officer, Sistan.

*1 Chief Medical Officer, North-West Frontier Province.

x6 Civil Surgeons, North-West Frontier Province.

1 Assistant Director of Public Health, North-West Frontier Province.

*1 Superintendent, Peshawar Jail and Medical Officer, Frontier Constabulary Outposts.

*1 Residency Surgeon, Bushire.

1 Agency Surgeon, Maskat.

*1 Civil Surgeon, Ajmer and Chief Medical Officer, Rajputana.

1 Additional Civil Surgeon, Ajmer.

*1 Residency Surgeon, Mewar.

*1 Legation Surgeon, Kabul.

*1 Residency Surgeon, Western India States Agency, Rajkot.

29

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (x) only 4 civil surgeons are liable to be recalled on mobilisation. Of the three posts marked (*a*) only two are liable to be recalled on mobilisation.

Local Governments.

MADRAS.

*1 Inspector-General of Prisons.
4 Superintendents of Central Jails.
1 Surgeon to His Excellency the Governor.
*1 First Surgeon in the General Hospital, Madras, and Professor of Surgery, Medical College, Madras.
*1 First Physician in the General Hospital, and Professor of Medicine, Medical College, Madras.
*1 Superintendent, Women and Children's Hospital, Madras, and Professor of Midwifery, Medical College, Madras.
1 Assistant Director of Public Health.
1 Director, Pasteur Institute, Coonoor.
@12 District Medical and Sanitary Officers. Malabar, Madura, Coimbatore, Bellary, the Nilgiris, Tanjore, Vizagapatam, North Arcot, Coonoor, Nellore or Guntur, Trichinopoly and one unspecified.

23

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 10 are liable to be recalled on mobilisation.

BOMBAY.

*1 Inspector-General of Prisons.
3 Superintendents of Central Prisons.
*1 Superintendent, Mental Hospital, Yeravada.
*1 Presidency Surgeon, 1st District, Physician on the staff of St. George's Hospital, Marine Surgeon and in Medical charge of the Elphinstone College.
*1 Surgeon Superintendent, St. George's Hospital, Bombay.
1 Resident Surgeon, St. George's Hospital, Bombay.
*1 Professor of Gynæcology.
1 Director or Assistant Director, Haffkine Institute, Bombay.
1 Appointment in the Public Health Department.
*1 Port Health Officer, Aden.
*1 Port Health Officer, Bombay.
@10 Civil Surgeons, Ahmedabad, Poona, Mahableshwar, Belgaum, Karachi, Nasik, Hyderabad (Sindh), Dharwar, Sholapore and Aden.

23

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 9 are liable to be recalled on mobilisation.

BENGAL.

*1 Inspector-General of Prisons.

4 Superintendents of Central Jails.

1 Surgeon Superintendent, Presidency General Hospital, Calcutta.

*3 Professors, Medical College, Calcutta, specially qualified as Physician, Surgeon or Gynæcologist.

@13 Civil Surgeons, 24-Parganas, Dacca, Darjeeling, Chittagong, Rajshahi, Barisal, Mymensingh, Midnapore, Berhampore, Hooghly, Burdwan and two unspecified.

22

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 10 are liable to be recalled on mobilisation.

UNITED PROVINCES.

*1 Inspector General of Prisons.

5 Superintendents of Jails.

@18 Civil Surgeons, Benares, Allahabad, Cawnpore, Agra, Meerut, Naini Tal, Mussoorie, Lucknow, Moradabad, Jhansi, Bareilly, Gorakhpur, Dehra Dun, Aligarh and Fyzabad and 3 unspecified.

24

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 12 are liable to be recalled on mobilisation.

PUNJAB.

*1 Inspector General of Prisons.

3 Superintendents of Central Jails.

1 Superintendent, Borstal Institute.

1 Assistant Director of Public Health.

*2 Professors, Medical College, Lahore.

@11 Civil Surgeons, Lahore, Amritsar, Multan, Rawalpindi, Ferozepore, Lyallpore, Jhelum, Dera Ghazi Khan, Ambala, Jullundur and Shahpur (Sargodha).

19

Appointments reserved for Indian Indian Medical Service officers.

1 Superintendent, Mental Hospital, Lahore.

1 Professor of Surgery, Medical College, Lahore.

21

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) 8 Civil Surgeons are liable to be recalled on mobilisation.

BURMA.

*1 Inspector General of Prisons.

3 Superintendents of Central Jails.

*1 Superintendent, Mental Hospital, Rangoon.

1 Public Health appointment.

1 Director, Pasteur Institute, Rangoon.

$2 Civil Surgeons, Rangoon.

$2 Hospital and Professorial appointments in Rangoon (including the head Gynæcological appointments).

@17 Civil Surgeons, Akyab, Myitkyina, Bhamo, Mandalay, Myingyan, Toungoo, Magwe, Bassein, Moulmein, Maymyo, Shwebo, Prome, Taunggyi, Loimwe, Lashio and 2 unspecified.

30

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) 12 Civil Surgeons are liable to be recalled on mobilisation. One of the two Civil Surgeons, Rangoon and two of the four Hospital and Professorial appointments in Rangoon marked ($) are liable to recall.

BIHAR AND ORISSA.

*1 Inspector General of Prisons.

3 Superintendents of Central Jails.

*1 Superintendent, European Mental Hospital, Ranchi.

1 Assistant Director of Public Health.

1 Professor of Surgery, Medical College, Patna.

@10 Civil Surgeons, Patna, Cuttack, Muzaffarpur, Ranchi, Saran, Hazaribagh, Gaya, Darbhanga, Bhaghalpur and Monghyr.

17

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 7 are liable to be recalled on mobilisation.

CENTRAL PROVINCES.

*1 Inspector General of Prisons.

2 Superintendents of Central Jails.

1 Public Health Officer.

@7 Civil Surgeons, Nagpur, Jubbulpore, Raipur, Hoshangabad, Saugor, Chhindwara and Akola (or Amraoti).

11

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 4 are liable to be recalled.

ASSAM.

* Civil Surgeons.

*Only 4 are liable to be recalled on mobilisation

ANNEXURE II.

The following reserved posts will be open to Indian officers of the Indian Medical Service on the civil side:—

(1) 15 Civil Surgeoncies (2 in Madras, 2 in Bombay, 3 in Bengal, 3 in the United Provinces and 5 in Burma).

(2) 6 Public Health Department appointments (one each in Madras, Bombay, Punjab, Burma, Bihar and Orissa and the Central Provinces).

(3) 2 Directorships of Pasteur Institutes at Coonoor and Rangoon.

(4) 1 Directorship or Assistant Directorship, Haffkine Institute, Bombay.

(5) 1 appointment of Surgeon Superintendent, Presidency General Hospital, Calcutta.

(6) 1 appointment of Surgeon to His Excellency the Governor of Madras.

(7) 1 Hospital and Professorial appointment in Rangoon.

(8) 1 appointment of Professor of Surgery, Patna.

(9) 2 appointments in the Punjab specifically reserved for Indians, *viz.*, Superintendent, Mental Hospital, Lahore, and Professor of Surgery, Medical College, Lahore.

(10) 36 Jail appointments, (including the post of Inspector General of Prisons in all the Provinces except Assam).

(11) 3 unspecified appointments under the Government of India in the Foreign and Political Department.

(12) 25 appointments under the Government of India in the Department of Education, Health and Lands (including 15 Medical Research Department appointments and the appointments of Director General, Indian Medical Service; Deputy Director General, Indian Medical Service; 2 Assistant Directors General, Indian Medical Service; Superintendent, X-Ray Institute; Imperial Serologist; Health Officer, Simla; Assistant Director of Public Health, Delhi; Public Health Commissioner with the Government of India, and one of the two Civil Surgeons in Delhi). Total 94.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state whether the recent order of the Secretary of State makes the post reserved for the Indian Medical Service or for any particular officer?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I think I have fully explained the position in my reply. The position is precisely this: that according to the orders of the Secretary of State any I.M.S. officer who held this appointment before the 10th May, 1928, would have a *lien* on this appointment. That is the position.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state if the orders of the Secretary of State mean that a particular officer who held this post in May would have to be there for ever, i.e., so long as he is in service?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: So long as we cannot give him promotion or transfer him to some other post.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to state whether it is not possible to appoint temporarily a member of the Bengal Medical Service to that post?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: That would be directly against the order of the Secretary of State.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state whether it is a fact that a particular officer who was holding this post in March, 1928, was kept on other supernumerary duties for a considerable period of time—about nine months?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes, pending the decision of the Government of India on this matter.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state whether similar posts reserved for the I.M.S. were not vacant in other parts of the province in July, 1921?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes, there were.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state why this particular post had to be filled up by the officer who, as the Hon'ble Minister has stated, is liable to be transferred under the orders of the Secretary of State?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: That is because this post carries with it higher emoluments and opportunities for specialization.

Unstarred Questions

(answers to which were laid on the table).

Detenu Ambika Charan Chakravarty.

15. Babu JITENDRALAL BANNERJEE: (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether it is a fact that there is a great deal of delay in dealing with the letters written to and by undertrial prisoner, Ambika Charan Chakravarty?

(*b*) Is it a fact that a letter written by him on the 13th of May did not reach its destination (Dacca) till the 26th?

(*c*) If the answer to clause (*b*) is in the affirmative, will the Hon'ble Member be pleased to state what is the cause of this delay?

(*d*) Is it a fact that paper and stationery necessary for carrying on correspondence used formerly to be supplied to the prisoner by the Government but that the supply has since been stopped? If so, why?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) I have no information of such delay and no complaint has been made to Government or to the Jail authorities.

(*b*) I have no information.

(*c*) Does not arise.

(*d*) It has been reported that the prisoner in question declines to use the prisoners' jail letter form supplied by the jail and prefers to buy his own stationery, which he has been permitted to do in accordance with the provisions of Jail Code Rule 916.

Srijut Satindranath Sen of Barisal.

16. Babu JITENDRALAL BANNERJEE: (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state why Srijut Satindranath Sen of Barisal has been served with an order prohibiting him from entering his native district of Bakarganj?

(*b*) Is it not a fact that the said Satindranath Sen, under the order of the Chief Presidency Magistrate of Calcutta, had already executed a bond with securities to be of good behaviour for three years?

(*c*) Will the Hon'ble Member be pleased to state why it has been thought necessary to take further action against him under the Bengal Ordinance?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Because the Local Government were satisfied that he was a person in respect of whom such an order could be lawfully made and that such an order was essential in the interests of the district.

(*b*) Yes.

(*c*) *Vide* (*a*) above.

To exclude him from the district of Bakarganj, a necessary object which was not secured by the order of the court referred to in (*b*) above.

Superintendent, Campbell Medical School.

17. Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table the papers relating to the appointment of the Superintendent of the Campbell Hospital and School?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The member is referred to the reply given to clauses (*a*) and (*b*) of a starred question on this subject asked by Mr. S. M. Bose at this meeting.

First Subordinate Judge, Chittagong.

18. Haji BADI AHMED CHOWDHURY: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether it is a fact that the First Subordinate Judge at Chittagong has jurisdiction to try all suits over Rs. 2,000 arising in the town and Cox's Bazar subdivision?

(*b*) Is it a fact that the First Subordinate Judge has to try more suits of bigger valuation than the Second Subordinate Judge?

(*c*) When did Mr. S. C. Chakrabarti, the present First Subordinate Judge, take charge?

(*d*) Is it a fact that he was at once promoted to this post from the post of a Munsif?

(*e*) How many suits, appeals, miscellaneous judicial cases were dismissed for default by him from the date of his taking charge up to 15th June, 1931?

(*f*) What was the valuation of those cases?

(*g*) How many such cases were dismissed for defaults without giving opportunity to the litigant public to call their respective pleaders?

(*h*) In how many cases have the parties filed petitions for restoration and with what result?

(*i*) How many petitions for transfer of such cases from his file have been filed before the District Judge?

(*j*) What are the filing dates of those petitions?

(*k*) Are the Government considering the desirability of appointing a senior man in his place?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) and (*b*) Yes.

(*c*) 7th April, 1931.

(*d*) Yes.

(*e*) Three title and other suits, 8 appeals and 24 miscellaneous cases.

(*f*) *Suits*—

Title suit No. 87 of 1929—Rs. 56,000.
Other suit No. 53 of 1929—Rs. 3,500.
Other suit No. 72 of 1930—Rs. 9,861.

Appeals—

Rent appeal No. 453 of 1929—Rs. 85-15-10.
Title appeal No. 709 of 1929—Rs. 101-4.
Title appeal No. 526 of 1929—Rs. 200.
Title appeal No. 536 of 1929—Rs. 57.
Title appeal No. 43 of 1929—Rs. 300.
Title appeal No. 396 of 1929—Rs. 20.
Title appeal No. 136 of 1930—Rs. 127.
Title appeal No. 125 of 1930—Rs. 4-13-9.

(*g*) None.

(*h*) Applications for restoration were made in 10 cases out of which applications were allowed in 2 cases, disallowed in 3 cases, and applications are pending in 5 cases.

(*i*) One.

(*j*) 20th May, 1931.

(*k*) No.

Bhouksar Union, Chandina, Tippera.

19. Maulvi Syed OSMAN HAIDER CHAUDHURI: (*a*) Is the Hon'ble Member in charge of the Judicial Department aware that the late Commissioner of the Chittagong Division passed a remark on the application of Shah Syed Emdadul Huque, ex-M.L.C., to the effect that union benches and courts are not to be started in the Bhouksar Union No. 13, police-station Chandina, district Tippera, where there is a strong party feeling?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a copy of the said application with the remark of the Commissioner?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) Government have no information.

(*b*) Does not arise.

Changing of the name of Bhouksar Union, Chandina.

20. Maulvi Syed OSMAN HAIDER CHAUDHURI: (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that the District Magistrate of Tippera contemplates changing the name of the Bhouksar Union No. 13, in the police-station Chandina?

(*b*) Is the Hon'ble Minister also aware that the public opinion is against the change?

(*c*) Are the Government considering the desirability of retaining the present name of the union?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) Yes.

(*b*) No. The district board are reported to have approved of the proposal.

(*c*) The matter will be examined.

Maulvi SYED MAJID BAKSH: As regards answer to (*b*) will the Hon'ble Minister be pleased to state if there is any truth in the report?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: It is for the hon'ble member to believe it or not but when I state it certainly it is true.

Lee Commission's concessions.

21. **Mr. J. CAMPBELL FORRESTER:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether it is true that the fundamental factor in determining the grant of the Lee Commission concessions is the possession by the officer concerned of a European domicile?

(*b*) If so, what were the exact reasons which led Government to grant these concessions to an Indian officer of Asiatic domicile, when he was Deputy Commissioner of Excise, Bengal?

(*c*) In what cases other than that referred to in clause (*b*) has a departure been made from this principle, and what were the reasons for departing from this principle in each case?

(*d*) Will the Hon'ble Member be pleased to state in how many cases the concessions have been refused in Bengal in the case of officers of proved European domicile, giving particulars and the reasons for refusal of the concessions in each case?

(*e*) Have any officers been refused the concessions on the ground that European qualifications are not essential for their posts? If so, who are these officers, what is their total length of service, what posts do they now hold, and what is their length of service in such posts?

(*f*) If the answer to (*e*) is in the affirmative, will the Hon'ble Member be pleased to indicate the paragraphs in the Lee Commission's report which justify them in holding that Europeans are not to receive the Lee Commission's concessions on the ground that their posts may be held by Indians?

(*g*) Have the Government any information as to what principle has been followed by the Government of India and other provincial Governments, particularly in Madras, in this matter? If not, are the Government considering the desirability of obtaining this information?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) No. The possession of non-Asiatic domicile is not essential in all cases (*vide*, e.g., paragraphs 53-63 of the Lee Commission Report), though, generally speaking, it is a prerequisite, but not the only prerequisite.

(*b*) The concession in the case referred to was granted under the orders of the Secretary of State.

(*c*) *Vide* (*a*).

(*d*), (*e*) and (*f*) It is impossible in reply to a question to discuss the case of every such officer of proved European domicile. Generally

speaking, concessions have been refused to officers holding posts other than those included in the "Superior Civil Services in India" with which the Lee Commission Report dealt, or classified as superior under section 72D (3) (iv) (d) of the Government of India Act. In particular they have not been granted to—

(i) members of regular provincial services, because it is not contended that the employment of European officers in such services is essential to the welfare of the country; and

(ii) officers holding specialist or miscellaneous posts, unless the nature of the post makes it essential that an European officer should be employed in the post.

(g) Yes; the principles were discussed and settled in 1925 by the Government of India in consultation with all provinces.

Detenu Satish Chandra Chakrabarti of Khulna.

22. **Maulvi Syed JALALUDDIN HASHEMY:** (a) Will the Hon'ble Member in charge of the Police Department be pleased to lay a statement on the table showing separately in different jails and detention camps in Bengal—

(i) the total number of prisoners detained at present under the Criminal Law Amendment Act in the Buxa Fort, Hijli Detention Camp and other jails of Bengal; and

(ii) the number of persons at present detained at home?

(b) Is it a fact that Satish Chandra Chakrabarti of Khulna is detained at his village home at Karuli?

(c) Does he receive his allowance regularly at home? If not, why not?

(d) Will the Hon'ble Member be pleased to state whether he has received any petition from the said Babu S. C. Chakrabarti requesting to grant his personal as well as his dependants' allowance as prescribed?

(e) Are the Government considering the desirability of granting him usual allowance as per law?

The Hon'ble Mr. W. D. R. PRENTICE: (a) (i) In different Jails—94.

In Buxa Camp—138.

In Hijli Camp—153.

(ii) 22.

(b) Yes.

(c), (d) and (e) Orders domiciling him issued on the 1st May, 1931, the District Magistrate's report on the amount of allowance necessary was received on the 19th May and orders sanctioning an allowance for himself and dependants issued on the 28th May. One petition dated the 30th May was received and in reply the detenu was referred to the orders of the 28th May, since when no complaint of any sort has been received from him.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state the amount of allowance that has been sanctioned to Babu Satish Chandra Chakrabarti?

The Hon'ble Mr. W. D. R. PRENTICE: We are not prepared to state any figure about the allowance.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state whether the allowance will be given with retrospective effect?

The Hon'ble Mr. W. D. R. PRENTICE: I cannot state the orders passed on any particular case.

Barisal Municipality.

23. Maulvi MUHAMMAD HOSSAIN: (a) Has the attention of the Hon'ble Minister in charge of Local Self-Government Department been drawn to the report on the working of the Barisal Municipality by the Vice-Chairman and his remarks amongst other items on the gross mismanagement of the Public Works Department?

(b) If so, what action, if any, is proposed to be taken in the matter?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (a) No such report has been seen.

(b) Does not arise.

Maulvi ABUL KASEM: Will the Hon'ble Minister be pleased to call for a report from the Barisal Municipality?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Government see no reason to ask for a report unless there is any definite allegation or complaint.

Advisory Committee for inland steam-vessels.

24. Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Member in charge of the Marine Department be pleased to state whether he is considering the desirability of appointing an Advisory Committee under section 54B of the Inland Steam Vessels (Amendment) Act, 1930 (Act XIII of 1930)?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. A. Marr): The attention of the member is invited to the answer given to a starred question on this subject, asked by Maulvi Muhammad Hossain at this session of the Council.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether he is aware that a local advisory committee has been formed at Narayanganj in connection with the steamer companies?

The Hon'ble Mr. A. MARR: I am.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether the committee has been appointed under section 54B of the Inland Steam-Vessels Act, 1930?

The Hon'ble Mr. A. MARR: No. I am not aware of any details.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state under what law this committee has been appointed?

The Hon'ble Mr. A. MARR: It is a local committee appointed by the steamer companies themselves.

Advisory Committee for inland steam-vessels.

25. Babu SARAT CHANDRA MITTRA: Will the Hon'ble Member in charge of the Marine Department be pleased to state whether the Government are considering the desirability of appointing an Advisory Committee under section 54B of the Inland Steam-Vessels (Amendment) Act, 1930 (XIII of 1930)?

The Hon'ble Mr. A. MARR: The attention of the member is invited to the answer given to a starred question on this subject, asked by Maulvi Muhammad Hossain at this session of the Council.

Principal, Calcutta Medical College.

28. Mr. SYAMAPROSAD MOOKERJEE: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is a fact that Government have refused to give permission to the Principal of Calcutta Medical College to act as an examiner for any of the medical examinations of the University?

(*b*) If so, what are the reasons which prompted Government to pass such an order?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) Yes.

(*b*) The Principal, Medical College, who is also the Superintendent of the Medical College Hospitals, had, in addition, to perform the duties of the Professor of Medicine of the College and could undertake consulting practice. After the defalcation in the Medical College a new post of Principal and Superintendent was created in 1930 on a higher pay, with a non-practising allowance of Rs. 500, to enable the Principal to devote his entire time to his administrative duties. He has no teaching functions now and private practice of any kind has been prohibited. As these university examinations entail a considerable amount of time and labour, Government are of opinion that the terms and conditions of the appointment do not permit the Principal to undertake duties and accept fees in connection with university examinations.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state whether Government received any communication from the University asking Government to reconsider the matter?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The Local Self-Government Department has not received any communication. I do not know if the Hon'ble Minister in charge of Education has received any.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state whether the Principal of the Calcutta Medical College was consulted before this decision was arrived at?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: No, Government saw no reason to consult him.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state whether it is desirable in the interests of the medical education of the University that the Principal, Medical College, should have nothing to do with medical examination.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: As the Principal of the Medical College is also the Superintendent of the College, he is given a non-practising allowance to enable him to carry on the duties as Superintendent of the Institution, so I do not think that Government would consider it desirable to allow him to take additional responsibility.

Mr. SYAMAPROSAD MOOKERJEE: Does the Hon'ble Minister mean to say that these duties would interfere with his duties undertaken as Principal of the College?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state whether it is the opinion of the Principal, who is a responsible officer, that his undertaking this work will interfere with his duties as Principal?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: No.

Mr. SYAMAPROSAD MOOKERJEE: Can the Hon'ble Minister assure the House that this has nothing to do with the present Principal, who is the first Indian gentleman to hold the post?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Nothing of the kind.

Mr. SHANTI SHEKHARESWAR RAY: What is the practice in other provinces?

Mr. PRESIDENT: I do not allow that question.

Lack of a waiting room at the Khulna steamer ghat.

27. Babu SUK LAL NAG: (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state whether it has been brought to the notice of the Government that the intending passengers for several steamers plying from the Khulna steamer ghat suffer badly from want of a shed?

(*b*) Are the Government considering the desirability of taking early steps for the removal of this long-felt want?

The Hon'ble Mr. A. MARR: (*a*) Government are aware that inconvenience is felt owing to the lack of a waiting-room at the ghat.

(*b*) The case is now covered by rule III of the rules which have just been issued regarding the provision of gangways and shelter for the use of passengers of inland steam-vessels.

Provincial Road Board.

28. Mr. ANANDA MOHAN PODDAR: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state the constitution of the Provincial Road Board, Bengal?

(*b*) Will the Hon'ble Minister be pleased to state whether the Bengal Legislative Council is represented on the said Board?

(*c*) If the answer to (*b*) is in the affirmative, on what basis has the selection been made?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) A statement showing the constitution of the Board is appended.

(*b*) The Board includes three non-official members of the Legislative Council.

(*c*) Government have constituted the Board with a view to obtaining advice on Road Development on the widest basis from Chairmen of district boards and representatives of other interests concerned.

Statement referred to in the answer to clause (a) of unstarred question No. 28.

RECONSTITUTION OF THE ROAD BOARD, 1931.

(Corrected up to June 1931.)

1. The Hon'ble Minister in charge of the Local Self-Government Department, *President.*
2. Secretary to the Government of Bengal, Finance Department.
3. Secretary to the Government of Bengal, Public Works Department.
4. Secretary to the Government of Bengal, Local Self-Government Department.
5. Chief Engineer, Public Works Department.
6. Rai Keshab Chandra Banerji Bahadur, M.L.C., Chairman, Dacca District Board.
7. Raja Monilal Singh Roy, C.I.E., Chairman, Burdwan District Board.
8. Maulvi Jalaluddin Ahmad, Chairman, Chittagong District Board.
9. Maulvi Syed Nausher Ali, M.L.C., Chairman, Jessore District Board.

10. Sir Lancelot Travers, KT., C.I.E., O.B.E., M.L.C.
11. Mr. Sadhan Chandra Ray, representative of the Bengal National Chamber of Commerce.
12. Mr. T. W. Dowding, representative of the Bengal Chamber of Commerce.
13. Mr. A. H. C. Rostron, Chairman of the Motor Industries Association.
14. Mr. G. S. Bocquet, C.I.E., V.D., M.INST.T., A.-D.C., representative of railways in Eastern Bengal.
15. Mr. T. R. Kynnersley, representative of the Automobile Association of Bengal.
16. Mr. B. F. Higman, Chief Commercial Manager, E. I. Railway.

Mr. ANANDA MOHAN PODDAR: Will the Hon'ble Minister be pleased to state whether those non-officials have been appointed to represent the present Council on that Board?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: They can represent this Council as well as the district board.

Non-publication of sale proclamation in the "Basirhat Hitaishi."

29. **Maulvi MUHAMMAD SAADATULLAH:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether the representation of the Basirhat people including zamindars, local officials, chairmen of the municipality and district board in the district of the 24-Parganas to permit the publication of sale proclamation, etc., as provided in order 21, rule 67 of the Civil Procedure Code, and High Court Circular, in the local newspaper called *Basirhat Hitaishi* was refused by the District Judge of the 24-Parganas?

(*b*) If the answer to (*a*) is in the affirmative, what are the grounds for the refusal?

(*c*) Are the Government considering the desirability of taking steps for the reconsideration of the decision of the District Judge?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) and (*b*) Government have no information.

(*c*) Government have no power to interfere with the decision of the District Judge.

Maulvi MUHAMMAD SAADATULLAH: Will the Hon'ble Member be pleased to state whether there was any inquiry made by the District Judge about this matter?

The Hon'ble Mr. W. D. R. PRENTICE: I do not know.

Maulvi MUHAMMAD SAADATULLAH: I want to know whether any inquiry was made from the District Judge in the matter?

The Hon'ble Mr. W. D. R. PRENTICE: No.

Maulvi MUHAMMAD SAADATULLAH: Will the Hon'ble Member be pleased to state why no inquiry was made?

The Hon'ble Mr. W. D. R. PRENTICE: Because the matter is one entirely for the District Judge.

Mussalmans in the Provincial Judicial Service.

30. Maulvi MUHAMMAD SAADATULLAH: Will the Hon'ble Member in charge of the Judicial Department be pleased to state—

(*i*) how many appointments were made in the Provincial Judicial Service during the last five years; and

(*ii*) how many of them were given to Mussalmans?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*) 105.

(*ii*) 33.

Accumulation of landlords' fees.

31. Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member in charge of the Revenue Department be pleased to state, district by district, the total amount of the landlords' fees accumulated in the hands of the Government since the passing of the Bengal Tenancy (Amendment) Act?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): A statement showing the necessary figures is laid on the table.

Statement referred to in the reply to unstarred question No. 31 showing (district by district) the amount of landlords' transfer fees and landlords' fees accumulated in the hands of Government up till the 31st March 1931.

District.	Rs.	A.	P.
Bakarganj	2,50,173	13	9
Bankura	1,48,401	3	11
Birbhum	1,05,973	12	9
Bogra	1,06,741	8	1
Burdwan	1,17,123	4	8
Chittagong	89,696	13	9
Dacca	3,98,476	15	8
Dinajpur	1,72,998	5	7
Faridpur	2,27,050	7	10
Hooghly	63,007	8	10
Howrah	1,08,615	9	2
Jalpaiguri	25,728	2	6
Jessore	49,913	7	7
Khulna	26,901	6	9
Malda	66,393	15	0
Midnapore	3,06,714	4	6
Murshidabad	50,547	14	1
Mymensingh	4,25,591	8	11
Nadia	95,937	14	5
Noakhali	54,290	6	6
Pabna	2,56,280	13	3
Rajshahi	1,19,913	7	7
Rangpur	1,12,280	0	6
Tippera	2,65,612	13	1
24-Parganas	96,367	0	9
Total ..	37,40,732	11	5

3-15 p.m.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Member be pleased to state the reason why such a large sum of money on account of landlords' fees has not been withdrawn in the Dacca district?

The Hon'ble Sir PROVASH CHUNDER MITTER: Partly because the landlords allowed the fees to be accumulated and partly because there are co-sharer landlords.

Point of order.

Maulvi SYED JALALUDDIN HASHEMY: On a point of order, Sir. I sent in a notice of an adjournment motion in connection with the execution of Dinesh Gupta, but I have not yet received any reply whether my motion has been allowed or not. So, I ask for your leave to move it now.

Mr. PRESIDENT: How do you establish it as a point of order? No point of order is involved in this case.

Maulvi SYED JALALUDDIN HASHEMY: I have not yet received any reply to my notice, I want your permission to move it.

Mr. PRESIDENT: I understand that you were informed by the Registrar that your motion was inadmissible.

Maulvi SYED JALALUDDIN HASHEMY: I gave notice of two motions: one as regards the execution of Dinesh Gupta, and the other as regards the prevailing distress and famine in the province. The Registrar will probably bear me out that he communicated to me the President's decision with regard to the motion on famine.

Mr. PRESIDENT: No, both of them have been disallowed by me.

GOVERNMENT BUSINESS.

Legislative Business.

Government Bills.

The Bengal Mining Settlements (Amendment) Bill, 1931.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I beg to present the report of the Select Committee on the Bengal Mining Settlements (Amendment) Bill, 1931.

Sir, before passing on to the changes suggested by the Select Committee, I may explain the main features of the Bill. They are two:—

(1) Under the Bengal Mining Settlements Act, which governs the constitution of the Asansol Mines Board of Health the liability for

contribution to the expenses of the Board is of the owner of the mine. By change of ownership, in the past mines had escaped payment, and the Mines Board of Health suffered loss. It has now been provided in the Bill that the contribution will be a charge on the mine, and on moveable property found within the mine and belonging to the owner, subject to the payment of land revenue, if any. This amendment is proposed in order to protect the Mines Board of Health from loss of income due to the change in ownership of mines.

(2) The next important point in the Bill is provision to enable the Mines Board of Health to frame bye-laws. This is an important step towards emphasising the position of the Board as a local self-governing authority for public health purposes.

The Bill has been carefully examined in Select Committee and there is only one note of dissent dealing with details in powers for framing bye-laws. This point was not raised in Select Committee, and Government are of opinion that sub-clause (*vii*) and sub-clause (*viii*) as they stand deal with different aspects of the housing problem in the mines area, and that they should be retained. The tendency of the Labour Commission's report would be to carry this control much further. It may be added that the powers of making bye-laws provided under this Bill will be a step in the direction of the proposals for health and housing advocated by the Royal Commission on Labour although they would probably be found to fall short of the full recommendations made. Further amendment of the Act may be necessary to invest the Mines Board of Health at Asansol with all the powers now enjoyed by Jharia Mines Board of Health and which have merited approval of the Royal Commission on Labour. But there is no reason why the present measure which deals with the two changes recognized as immediately desirable should not be passed forthwith.

It may be added that it is not the intention of Government that these powers should be made use of by the Asansol Mines Board of Health to introduce any kind of drastic wholesale reforms unsuitable for the present period of depression and that as the bye-laws require the sanction of Government there is sufficient safeguard against their doing so. Moreover, the Asansol Mines Board of Health on which the collieries are represented may be relied to act reasonably on proper interpretation of its new powers.

Sir, I beg to move that the Bill, as reported by the Select Committee, be taken into consideration.

The motion was put and agreed to.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I beg to move that the Bengal Mining Settlements (Amendment) Bill, 1931, be passed.

The motion was put and agreed to.

The Calcutta Improvement (Amendment) Bill, 1931.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I beg to present the report of the Select Committee on the Calcutta Improvement (Amendment) Bill, 1931. Sir, I had the honour to introduce this Bill in the last session of the Council. One important feature of this report is that it is a unanimous one; though several useful changes have been made, the main principles of the Bill have not been affected. Sir, before I deal with these changes generally and explain them to the House for the sake of refreshing the memory of the hon'ble members, I shall touch on the broad principles which underlie this measure.

Whenever the value of a property is increased at public expense, it is a universally accepted principle that a portion of the increase should be secured to the public. This principle is embodied in the Calcutta Improvement Act, and the Calcutta Municipal Act in the provisions relating to the exemption of lands from acquisition. Any owner of property which will be benefited by execution of an improvement scheme but will not actually be required for its execution now applies to the authorities of the Calcutta Improvement Trust or the Calcutta Corporation, as the case may be, for exemption of his property from acquisition on payment of an exemption fee which represents a portion of the increased value of the property. But in section 78 of the Calcutta Improvement Act under which the owner may apply for exemption there is no provision of an exemption being offered by the Trust. So if a owner chooses not to do so, the Trust must either acquire the property or give it up altogether. The trustees cannot now offer exemption on receipt of a betterment fee. By the amendment of section 78 it is now proposed to invest the Trust with that power, so that the Trust will now have the option to acquire, or to exempt, any property. This power is particularly required to take up costly improvement schemes in highly built up and expensive areas like Burrabazar which have been held up for a long time, for the want of a provision like this. For the practical working of this system and assessment of exemption fee arbitrators have been provided for. All other amendments except clause 14 of the Bill are more or less consequential, in order to provide for the proper working of the system of exemption on receipt of betterment fee, and to make the machinery well-equipped. Clause 14 provides for the repeal of section 14 of the schedule to Calcutta Improvement Act to secure proper facility for part acquisition of a property and to make section 49 of the Land Acquisition Act of 1894 which deals with the acquisition of a part only of any house, manufactory or other building throughout India applicable to all acquisition under the Calcutta Improvement Act of 1911.

I will now deal with the changes, suggested by the Select Committee. The first proposal of the committee is to omit the proviso to

section 78A(2). This proviso laid down that when the Board declared that a strip of land lying between any building and a street for the laying out or alteration of which the scheme provided, would be permanently retained as an open space, this should be taken into account in determining the value of the land on the completion of the scheme. In estimating the value of land after the execution of an improvement scheme, all the relevant factors, such as the construction of new roads, widening of existing roads and the provision of open spaces, will be taken into consideration and the committee saw no reason for specially mentioning only one of these factors and that not by any means one of the most important.

The amendment made in section 78B (2) is intended to make it more explicit. The section, as it stood, required each person concerned to state within three months from the date of assessment whether he accepted or dissented from the assessment. As some time might elapse before the person concerned was informed of the fact of assessment, the committee thought it right to make the position clear and they have, therefore, amended the section so as to provide that the person concerned must intimate his acceptance or dissent within three months from the date of receipt of notice in writing of the assessment made by the Board.

Section 78C of the Bill makes provision for the settlement of the betterment fee by arbitration, where the Board and the persons concerned cannot come to an agreement. It appeared to the committee necessary to add to this section provisions dealing with cases where the arbitrator misconducts himself and cases where an award has been improperly procured. Two new clauses, clause (5a) and clause (6a), have accordingly been added empowering the local Government to remove an arbitrator who has misconducted himself and to set aside an award where it has been improperly procured. Consequential changes have been made both in sub-section (5) and in sub-section (6) and sub-section (5) has been redrafted for the sake of clarity.

As it is intended in accordance with the recommendations of the Burrabazar Improvement Committee that the proceedings of the arbitrators should be governed not by the ordinary rules of judicial procedure but by *ad hoc* rules framed under section 137 of the Calcutta Improvement Act, the wording of section 78E has been made wider in order to exclude the operation of the Indian Arbitration Act. The committee also considered it desirable that the right of every party to appear before the arbitrators should be secured by the Act, instead of being left to be provided in the rules. This has been effected by means of the proviso added to section 78E.

In section 78G the committee have made an addition in order to make it clear that the charge on account of betterment fee shall be preferred to existing charges. No hardship can result from this, as

the betterment fee will amount only to half of the total increase in the value of the property, and as a public demand it is entitled like the consolidated municipal rate to preference over other charges. No hardship will result from the system of betterment fee because the betterment fee will be only a very small portion of the increased value. For example, if a property is worth Rs. 10,000 before improvement and if its value is estimated at Rs. 20,000 after improvement, the party will be called upon to pay only half of the increased value or only Rs. 5,000 so that there will be ample margin left for previous mortgagees.

Finally, the committee have added a new clause to clarify the words used in the last three lines of the revised section 79. That section provides for the recovery of trust dues under section 78, section 78B, section 78C or section 78G "in the manner provided by the Calcutta Municipal Act, 1923, for the recovery of the consolidated rate." Under section 191 of the Calcutta Municipal Act, consolidated rate, if not paid after the service of a notice of demand, may be recovered under a warrant in the form in Schedule XI or in a form to the like effect to be issued by the Corporation. Under the Calcutta Municipal Act the form of warrant is to be signed by one of the executive officers to the Corporation and addressed to an officer of the Corporation. In the opinion of the committee, it is desirable that the Board should be specifically empowered to authorise the discharge of these duties by its own officers. With this object the new section 79A has been inserted.

I would like to mention that this Act is intended only to be used in the case of the highly built up and costly areas like Burrabazar. It is not intended that the Trust will take advantage of this section in areas where poor people live or in case of small properties. It is only in respect of owners of big properties who want to take undue advantage of their position as such that the Trust will make use of this section. In the case of owners of small properties this section will be of great advantage to them, because, now, if the Trust wants to acquire a property, they will have to do so unless the party comes forward and offers a betterment fee. Take, for instance, the case of a person who has three huts; one of his huts may be actually required for the execution of a particular scheme and he wants to save two and live there. The Trust cannot offer him exemption now in return for a betterment fee and the result is that the poor man has to leave his hearth and home and settle elsewhere. This section will save him from this unfortunate situation. So in every sense this is an ideal Bill which will be placed upon the Statute Book. This matter has been pending before the Calcutta public for the last six years. There was a Burrabazar Improvement Committee on which sat Raja Rishee Case Law, the late Rai Nalininath Set Bahadur, Rai Badridas Goenka Bahadur and other notable persons who were keenly interested in the improvement of Calcutta and who were thoroughly acquainted with the working of

the Calcutta Improvement Act. They had, I may say, the interests of Calcutta at heart; they suggested these changes and this Bill was drawn up on the recommendations of that committee. So I hope the House will have no hesitation in accepting these amendments.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to move that the Calcutta Improvement (Amendment) Bill, 1931, as reported by the Select Committee, be taken into consideration.

The motion was put and agreed to.

Clauses 1 to 6.

Mr. PRESIDENT: The question is that clauses 1 to 6 stand part of the Bill.

The motion was put and agreed to.

Clause 7.

Mr. NARENDRA KUMAR BASU: I beg to move that in clause 7 in the proposed section 78A (*2*), line 4, before the word "value" the word "estimated" shall be inserted and in lines 6 and 7 the words "estimated as if the land were clear of buildings" shall be omitted.

I must, first of all, assure the Hon'ble Minister that in moving this amendment or any other subsequent amendment I have no desire to hamper the passing of this amending Bill as I think that the provisions of the Bill that have come out of the Select Committee are on the whole useful. But I want to draw the attention of the Hon'ble Minister to my first amendment for the purpose of pointing out that undoubtedly the words to which I take exception are unfair to property-owners. I think the language of the Bill is such that unless it is amended in the way suggested by me, it will ruin many of the house-owners. The House will see that section 78A (*2*) says "such betterment fee shall be an amount equal to one half of the increase in value of the land resulting from the execution of the scheme, and shall be calculated upon the amount by which the value of the land on the completion of execution of the scheme estimated as if the land were clear of buildings exceeds the value of the land prior to the execution of the scheme estimated in like manner." My amendment is that before the word "value" in line 4, the word "estimated" shall be inserted and in lines 6 and 7 the words "estimated as if the land were clear of buildings" should be omitted. The sub-section will then read "such betterment fee shall be an amount equal to one half of the increase in value of the land resulting from the execution of a scheme and shall be calculated upon the amount

by which the estimated value of the land on the completion of execution of a scheme exceeds the value of the land prior to the execution of a scheme estimated in like manner."

That is to say, what the Bill suggests is that when a new scheme is working and a plot of land with or without any building upon it not required for the execution thereof is affected, as its value will be increased, some percentage of the increased value should be given back to the Calcutta Improvement Trust. But by using the fiction of the land being clear of the buildings thereon this Bill does in effect make the position of the person who has a building and which he may have to repair, remove or renovate rather difficult. I will illustrate what I mean in a moment. Suppose that by the side of a property not required for the execution of a scheme there was a 20-feet lane. It is now improved into a 100-feet road. If a man has a very small building on that spot suitable for a 20-feet road but which will be entirely unsuited to the new road, it cannot be said that his property has appreciated in value by the increased value of the land for he will have to remove his buildings and unless my amendment is accepted, it will mean that the betterment fee will be calculated upon the value of the land without any calculation of the cost incurred for the removal of the small building that may be on the land. Take another instance.

8-45 p.m.

Suppose a man has got a building and the proposed new road passes by the back of that building. The new road by passing behind the building certainly appreciates the value of the building. But in order to take advantage of this appreciation in value of his property at that time, the owner may have to make several consequential alterations to his building. It may be that a portion of the building through which the new road was passing contained his bathroom, etc., and when a new road is opened out behind his house he must have to make new rooms probably on the side away from the new road and it will be necessary for him to shift those rooms and make certain consequential alterations to the building. In that case I think it will not be fair to say that the appreciation in the value of this man's property is necessarily the measure of appreciation in the value of the land. You must deduct from that the cost of repairs or removal and the net sum worked out after the value of the repairs or removal has been deducted, ought to be the measure of the betterment. I think, therefore, that my amendment simply wants the Council to be fair to the people who have got property on the site, and I commend this amendment to the House, specially when the House sees that the Select Committee says that the value shall be estimated "as if the land were clear of buildings." Speaking as a lawyer I think we do not want legal fictions to multiply. I, therefore, commend the amendment to the House.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, my hon'ble friend wants the Calcutta Improvement Trust to charge a betterment fee not only on the land but also on the buildings————

Mr. NARENDRA KUMAR BASU: No, absolutely no.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: But that is the clear meaning of his amendment. I think Mr. Basu is labouring under a misapprehension. Land, as defined under the Calcutta Improvement Act, includes building and the idea of the Trust is to charge betterment fees not on the building but on the land itself, so that it may not be hard on the man who has spent his capital in improving his land. The owner who has allowed his land to be neglected or has allowed a dilapidated building to remain on his land, should not have any advantage over one who has spent his capital in putting up a fine building. After all, this Act is meant for the improvement of Calcutta and the man who has carried out improvements should not be penalised more than the man who has not done so. That is the position and I beg to oppose the amendment.

Mr. NARENDRA KUMAR BASU: May I rise on a matter of personal explanation? The Hon'ble Minister is absolutely wrong in his interpretation of my amendment. I do not want to tax the owners of the buildings. The effect of my amendment will be to make some allowance to the man who has a building. The Hon'ble Minister is entirely wrong in his interpretation of my amendment.

The motion of Mr. Narendra Kumar Basu was then put and lost.

Mr. NARENDRA KUMAR BASU: I beg to move that in clause 7, in the proposed section 78B(*1*), lines 1 to 8, for the words beginning with "when it appears" and ending with "shall thereupon" the following words shall be substituted, namely:—

"Within one year of the declaration under section 6 of the Land Acquisition Act in respect of an improvement scheme, the Board shall."

Sir, the clause, as it stands, runs thus: "When it appears to the Board that an improvement scheme is sufficiently advanced to enable the amount of the betterment fee to be determined, the Board shall by a resolution passed in this behalf declare that for the purpose of determining such fee the execution of the scheme shall be deemed to have been completed and shall thereupon give notice in writing————"

The House will see that by the insertion of my amendment I want to have a time-limit of one year within which the Board shall assess the amount of the betterment fee. My idea in moving this amendment is

that it is always better for the purpose of house-owners and property-owners to have all doubts about the valuation of their properties removed as quickly as possible. The uncertainty in the valuation due to non-ascertainment of the betterment fee ought to be removed as soon as practicable. I, therefore, move that the assessment of the betterment fee shall be made within one year of the declaration under the Land Acquisition Act.

Mr. J. A. L. SWAN: Sir, the effect of the amendment proposed by Mr. Basu will be that within a year from the commencement of the land acquisition proceedings the Board must declare that the execution of the scheme has been completed. Now, Sir, in the case of the improvement of any considerable area the Board is not in possession of the land within one year. For instance, in the case of the extension of Central Avenue now in progress the land acquisition declaration under section 6 of the Land Acquisition Act was published on the 13th March, 1930, and the Board has not obtained possession of all the lands yet. The effect of the amendment would be that the Board would in spite of this be bound by the provisions of this section to declare the scheme completed before the engineering works were begun. I am afraid, therefore, the insertion of the clause proposed will make the section impossible to work in practice.

The motion of Mr. Narendra Kumar Basu was then put and lost.

Mr. NARENDRA KUMAR BASU: I beg to move that in clause 7, in the proposed section 78B(*2*), lines 1 and 2, for the words "The Board shall then assess the amount of betterment fee payable by each person concerned who" the following words shall be substituted, namely:—

"Within six months of the date of the notice issued under sub-section (*1*), the Board shall assess the betterment fee payable by each person concerned after giving such person an opportunity to be heard, and such person."

Sir, this amendment is really composed of two parts—the preliminary part puts down a time-limit and the second says that before anything is done for the purpose of assessing the betterment fee the party shall be heard. The House will have seen that as the Bill emerged from the Select Committee, they wanted everything to be done by arbitration. If my amendment is accepted, I am sure the purposes of the Board would be served more often by negotiations with the persons affected and the Board would not have any reason to go before an Arbitration Board.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, Mr. Basu suggests that the betterment fee should be assessed within six months, but I may inform the House that in the case of exemption fees it has been our experience that it is a matter of negotiation between the Trust

and the parties, and it is really in the interest of the parties themselves that no time-limit should be fixed. It is the parties that approach the Trust and ask for innumerable adjournments because they are not able to pay the fee or there are different co-sharers who do not come to an agreement. It will not be in the interests of those whom my honourable friend wants to protect to put a time-limit, though it is certainly to the interests of the Trust to realise the betterment fee as quickly as possible. As I have already said, it is really a matter of negotiation between the parties and the Trust; and any hard-and-fast rule or any definite time-limit will operate harshly on the parties.

As regards the second portion of the amendment, I am perfectly prepared to accept it, but I would suggest a little alteration in the wording, *i.e.*, that in clause 7 in the proposed section 78B(*2*), line 2, for the word "who" the following shall be substituted, namely:—

"After giving such person an opportunity to be heard and such person."

I think this will meet the wish of Mr. Basu.

Mr. NARENDRA KUMAR BASU: I accept the amendment proposed by the Hon'ble Minister.

The motion of Mr. Narendra Kumar Basu was then, by leave of the Council, withdrawn.

The following motion of the Hon'ble Mr. Bijoy Prasad Singh Roy was then put and agreed to:—

"That in clause 7 in the proposed section 78B(*2*), line 2, for the word 'who' the following shall be substituted, namely:—

'after giving such person an opportunity to be heard and such person.' "

Mr. NARENDRA KUMAR BASU: I beg to move that in clause 7, in the proposed section 78C, sub-section (*6a*) shall be omitted.

Sir, this sub-section was not in the original Bill as framed by the Government. The new sub-section added by the Select Committee is that if the local Government is satisfied after such inquiry as it thinks fit that an award has been improperly procured, or that an arbitrator has misconducted himself in connection with an award, the local Government may set aside the award. The procedure suggested in the Bill is that for the purpose of arbitration one arbitrator shall be nominated by the parties and one arbitrator by the Trust, and if there is any difference between them, they will select an umpire.

4 p.m.

And now the Select Committee has put in that they want to set aside the award of the arbitrators on the ground of the impropriety or misconduct of the umpire or an arbitrator and that power they want to

leave in the hands of the Executive Government. I am quite sure, Sir, that the Hon'ble Minister, whoever he may be, in charge of this Department, will not relish the idea of setting aside the award on account of misconduct of the arbitrator. As my friends in this House, even those who are not lawyers, are aware, the question of what is, or what is not, misconduct on the part of arbitrators is a very serious one, and a very difficult one. In fact, I was looking through a volume only last night for the purposes of this amendment, and I found there were about 126 pages which covered 400 cases for the purpose of discussing what is, or what is not, considered misconduct of an arbitrator, and how an award is to be set aside. To leave all that in the hands of the Executive Government, to one who does not know on what material to act is, I submit, not at all proper. Moreover, as I have said, in this Bill there are three persons, one the arbitrator appointed by the party, one the arbitrator appointed by the Trust, and an umpire chosen by these two arbitrators. This sub-section, I think, has been very hastily drafted by the Select Committee and leaves the alleged misconduct of the arbitrator, any one of these arbitrators, to the local Government to decide upon. I think it takes away the whole purpose of the Act, and if the award is set aside, it will have to be done again *de novo*. This Act, in order to shorten matters, takes away the powers ordinarily put in the hands of the Calcutta Improvement Tribunal and gives it into the hands of the arbitrators who fix the valuation, but I say that if the arbitrators' award is set aside for unknown reasons by the Executive Government it will be very hard, I think, for any party to prevail upon any person who knows the state of the law to act as an arbitrator. I have seen—I do not want to be personal—but I have seen that there were several lawyer members on the Select Committee, excluding the Minister who was in the chair, and I am afraid they did not consider this point properly, and this clause about setting aside the award on the ground of the misconduct of the arbitrator, was put in in spite of their vigilance.

I, therefore, beg to move that this clause be omitted.

Dr. NARESH CHANDRA SEN GUPTA: I think this is the most extraordinary piece of legislation that has ever been thought of in the matter of compulsory acquisition of land or compulsory land valuation. Mr. Basu has pointed out what to lawyer members appear to be a grotesque proposition in the Bill. One of the parties to a suit of proceeding is entitled to set aside an award of an arbitrator because in his opinion the arbitrator has misconducted himself. Such a thing has never been thought of by a lawyer; but apart from that there is a vital difficulty in this clause as it stands. It will be seen that the proposed section 78B, sub-section (*3*), says "when the assessment proposed by the Board is accepted by the person concerned within the period

specified in sub-section (2), such assessment shall be final." Then again, we find, "if the person concerned dissents from the assessment made by the Board or fails to give the Board the information required by sub-section (2), during the period specified therein, the matter shall be determined by arbitrator in the manner provided by section 78C."

Now, therefore, if there is a difference between the Improvement Trust and the person whose property is to be acquired, the matter will have to be referred to arbitrators, and the decision of the arbitrators will be final. The arbitrators give the award, and under section 78C(6) "and such award shall, subject to the provisions of sub-section (6a), be final and conclusive and binding on all persons." But, supposing after this, the Government think that one of the arbitrators has been guilty of misconduct, then this proposed section lays down that the local Government shall set aside the award. But then what happens? There is not a word in this Bill to point out what would be the procedure next. There has been a difference to be settled by arbitrators, and the procedure for arbitrators is provided in section 78C; the arbitrator makes his award and that procedure is exhausted and after that the award is set aside. Then it comes to this that if the local Government can set aside an award on the ground of the misconduct of the arbitrator, then the assessment made shall be final, *i.e.*, the assessment originally made. If not, there ought to be some procedure for fresh reference to arbitrators, but that is not to be found in this Act. Therefore, I think even if there had been no objection in principle to this section, this would be a vital reason for which the section should not stand as it is. But as I have said, it is fundamentally wrong in principle inasmuch as it practically cancels the whole purpose of the section for reference to arbitrators.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I am sorry my colleagues in the Select Committee had not the advantage of profiting by the vast experience and superior wisdom of Mr. Basu and Dr. Sen Gupta. I admit that knowledge of the members of the Select Committee was limited as compared with that of these veteran lawyers and I am sure they would bow down to these two gentlemen. Mr. Basu has said that he went through a book and found 120 cases cited.

Mr. NARENDRA KUMAR BASU: 120 pages containing 400 cases.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: That is exactly the reason why Government have accepted the clause about arbitrators and want to reserve power of removing the arbitrator on the ground of misconduct, if necessary, because we do not want the parties to squander their money in civil courts. Government did anticipate this argument of Mr. Basu and the situation which would arise if an arbitrator would misconduct himself. I congratulate the members of

the Select Committee who had the foresight to put in a clause like this. As regards the point raised by Dr. Sen Gupta that if the arbitrator is removed, what would be the next procedure? My reply is that the procedure is very simple. The arbitration will be started *de novo*.

Dr. NARESH CHANDRA SEN GUPTA: Under what powers?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Under the rule-making powers.

Dr. NARESH CHANDRA SEN GUPTA: Would it not be declared *ultra vires*?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: By whom?

Mr. NARENDRA KUMAR BASU: By whom, that is the point.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I do not think there is any room for the difficulties which have been suggested by Dr. Sen Gupta.

On these grounds I oppose the amendment.

The motion that in clause 7, in the proposed section 78C, sub-section (*6a*) shall be omitted was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kisheri Mohan.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Choudhury, Maulvi Nural Absar.
Chowdhury, Maulvi Abdul Ghani.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Hossain, Maulvi Muhammad.
Kasem, Maulvi Abul.
Lal Muhammed, Haji.
Momin, Khan Bahadur Muhammad Abdul.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekhareswar.
Rout, Babu Hosani.
Roy, Babu Satyendra Nath.
Ray Chaudhuri, Babu Hem Chandra.
Samad, Maulvi Abdus.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.
Sircar, Dr. Sir Nilratan.
Solaiman, Maulvi Muhammad.

NOES.

Armstrong, Mr. W. L.
Austin, Mr. J. M.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Bannerjee, Babu Jitendralal.
Bazir Uddin, Maulvi Mohammad.
Basu, Babu Jatindra Nath.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bose, Mr. S. M.
Bottomley, Mr. J. M.
Burai, Babu Gokul Chand.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chowdhury, Haji Badi Ahmed.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.

Bain, Mr. G. R.
Das, Babu Satyendra Kumar.
Dash, Mr. A. J.
Dutt, Rai Bahadur Dr. Haridhan.
Ezaz-ji, Maulvi Nur Rahman Khan.
Faruqui, the Hon'ble Khan Bahadur K. G. M.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Susil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Babu Prafulla Kumar.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Amin-ur-Zaman.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Luke, Mr. H. R.
Macalister, Mr. A. S.
Marr, the Hon'ble Mr. A.
Miller, Mr. C. C.
Mitter, the Hon'ble Sir Provash Chunder.
Mullick, Mr. Mukunda Behary.
Nag, Babu Suk Lal.
Naziruddin, the Hon'ble Mr. Khwaja.
Nelson, Mr. J. W.
Norton, Mr. H. R.
Ormond, Mr. E. C.
Philpot, Mr. N. C. V.
Poddar, Mr. Ananda Mohan.
Poddar, Seth Hunuman Prasad.
Prentice, the Hon'ble Mr. W. D. R.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur-
Rai Mahasai, Munindra Deb.
Ray, Babu Amulyadhan.
Ray, Babu Nagendra Narayan.
Ray Chowdhury, Babu Satish Chandra.
Reid, Mr. R. N.
Ray, Babu Haribansa.
Ray, Mr. Saileswar Singh.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Sadatullah, Maulvi Muhammad.
Sarkar, Sir Jadunath.
Sarkar, Rai Sahib Rebati Mahan.
Stronach, Mr. K. P. G.
Sumner, Mr. C. R.
Swan, Mr. J. A. L.
Travers, Sir Lancelot.
Wordsworth, Mr. W. C.

The Ayes being 26 and the Noes 72, the motion was lost.

Mr. PRESIDENT: The question is that clause 7, as amended by the Council, stand part of the Bill.

The motion was put and agreed to.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to move that the Calcutta Improvement (Amendment) Bill, 1931, as settled in Council, be passed.

Mr. NARENDRA KUMAR BASU: Are not the other clauses of the Bill to be considered?

Mr. PRESIDENT: I should like to put the whole Bill but if you want to object to any clause for any particular reason I may put it clause by clause.

Mr. NARENDRA KUMAR BASU: My amendment is that the new clauses 8 and 8A be omitted.

Mr. PRESIDENT: I disallowed your amendment, but will it satisfy you if I put only those two clauses separately?

Clauses 8 and 8A.

Mr. PRESIDENT: The question is that clauses 8 and 8A stand part of the Bill.

Mr. NARENDRA KUMAR BASU: Yes, Sir, but in opposing the two clauses may I be permitted to give my reasons?

Mr. PRESIDENT: You might do that, but you could not move any amendment to delete them altogether.

Mr. NARENDRA KUMAR BASU: I want to convince the House that there are many cogent reasons why this clause should be thrown out.

Mr. PRESIDENT: You may do that; but please be brief.

Mr. NARENDRA KUMAR BASU: The House will see that by this clause 8 what it is proposed to do is that in addition to the other charges the betterment fee payable under section 78B and other sections should be liable to be recovered by distraint under this new Bill. It is one thing to use the provision of distraint under the Calcutta Municipal Act in order to get the amount of consolidated taxes for a quarter but the betterment fee is certain to be a very large amount, especially in a quarter like Burrabazar, and to allow the Trust to recover betterment fees by distraint or by catching hold of a man's moveables is, I submit, inequitable, and I hope the Council will not accept this provision.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: As I said in presenting the report of the Select Committee the justification for putting in this clause is that it would be very difficult otherwise, if there were accumulation of arrears, to realise them. In spite of the power of distraint which the Calcutta Corporation enjoys it is a notorious fact that the Calcutta rent bills are accumulating and if the Trust is not given this power the Trust will be simply paralysed. I am sure that any member of this House who wants Calcutta to improve will not support the amendment of Mr. Basu.

Babu JITENDRALAL BANNERJEE: May I ask one question to the Hon'ble Minister? Supposing that section 8 is deleted what section is available for the purpose of recovering the betterment fee?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: It is made a charge on the property.

Mr. NARENDRA KUMAR BASU: Clause 8A is consequential and I do not propose to say anything about it.

Mr. PRESIDENT: The question is that clauses 8 and 8A stand part of the Bill.

The motion was put and agreed to.

Clause 9.

Mr. PRESIDENT: The question is that clause 9 stand part of the Bill.

The motion was put and agreed to.

Clauses 10 to 14.

Mr. PRESIDENT: The question is that clauses 10 to 14 stand part of the Bill.

The motion was put and agreed to.

Preamble.

Mr. PRESIDENT: The question is that the preamble stand part of the Bill.

The motion was put and agreed to.

The motion that the Calcutta Improvement (Amendment) Bill, 1931, as settled in Council, be passed was then put and agreed to.

[At 4-30 p.m. the Council was adjourned for prayer and it reassembled at 4-45 p.m.]

The Bengal Motor Vehicles Tax Bill, 1931.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I beg leave to introduce a Bill to provide for the imposition and levy of a tax on motor-vehicles in Bengal.

The Secretary then read the short title of the Bill.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I beg to move that the Bengal Motor Vehicles Tax Bill, 1931, be referred to a Select Committee consisting of—

Mr. C. W. Gurner,
Mr. W. J. Kerr,
Mr. C. G. Cooper,
Mr. G. R. Dain, C.I.E.,
Mr. R. Higgins,
Khan Bahadur Maulvi Alimuzzaman Chaudhuri,
Rai Bahadur Keshab Chandra Banerji,
Khan Bahadur Maulvi Azizul Haque,
Babu Satish Chandra Ray Chowdhury,
Mr. S. M. Bose,
Mr. Sarat Chandra Bal,
Maulvi Tamizuddin Khan, and
myself,

with instructions to submit their report as soon as possible and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

The following motions were called but not moved:—

MUNINDRA DEB RAI MAHASAI to move, by way of amendment, that the Bill be circulated for the purpose of eliciting public opinion thereon before the 31st December, 1931.

Mr. SHANTI SHEKHARESWAR RAY to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon by the 30th November, 1931.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I beg to move that the Bengal Motor Vehicles Tax Bill, 1931, be circulated for the purpose of eliciting opinion thereon before the 15th October, 1931.

In moving this amendment I beg to add that so far as I have been able to ascertain this Bill will supersede certain sections of the Calcutta Municipal Act. In this matter the municipalities and district boards of Bengal are chiefly interested, and so I would request the Hon'ble Minister-in-charge to circulate it for the opinion of these bodies and particularly for the opinion of the Corporation of Calcutta.

Mr. SHANTI SHEKHARESWAR RAY: Sir, this is a taxation Bill and naturally———

Mr. PRESIDENT: Are you going to support the amendment?

Mr. SHANTI SHEKHARESWAR RAY: Yes.

Mr. PRESIDENT: May I know why you did not move your own amendment then?

Mr. SHANTI SHEKHARESWAR RAY: I would prefer to support this amendment.

It is proper that the interests affected should have an opportunity to express an opinion on it. I do not know what the views of the trade on this question are, but I had a talk with some bus owners, and they say that the passing of this Bill at the present moment would hit them hard, and I think ultimately the hardship will be felt by those who use motor vehicles. Already there is a tax on petrol and we should consider carefully whether any additional burden should be thrown on the trade. I think the House would like to know the views of the Calcutta Corporation and the municipalities and district boards of Bengal as regards the suggestion that Government should directly collect the tax and be in charge of the unpleasant task of distributing the amount. Another important point for consideration is whether the Act should be extended to the whole of Bengal or only to particular towns and districts.

Sir, it is claimed that this Bill has been drawn up on the lines of an Act now in force in Bihar and Orissa. The Government of Bihar and Orissa will no doubt feel much flattered that their measures are being followed in this Province. We have another Bill before us drawn up on the lines of an Act in force in Bihar. I do not know, Sir, what first-hand knowledge the Hon'ble Minister has of the neighbouring province, but I can say from my own experience, extending over twenty years as a resident of that province, that conditions there are quite different. In Bengal, particularly in North Bengal and East Bengal, there are not many good roads. I think the people who use the existing roads deserve compassion rather than this extra demand on their purse. I think people who live in mufassal towns may very well first claim that good roads should be constructed before they are called upon to shoulder this additional burden. Perhaps the Hon'ble Minister is very hard pressed for money, and however laudable his effort to augment the resources of the Government may be, I think he should not be in a hurry to carry out a measure of this nature.

Babu SATYENDRA NATH ROY: Sir, I am glad to support this Bill, although it is a taxation Bill. This measure is long overdue. Those who have got to work municipalities and district boards know that they are not able to impose any taxation. The present Bengal Municipal Act was passed as far back as 1884, and there were no motor vehicles at that time. The municipalities and district boards cannot maintain their roads properly for want of funds, although owners of heavy lorries and other motor vehicles are allowed to ply on their roads in order to carry on their trade and make good profit. So I think that in the interest of the municipalities and district boards this Bill is absolutely necessary. Of course, the Bill is not perfect, and I would suggest to the Hon'ble Minister to make some provision————

Mr. PRESIDENT: Are you supporting the motion before the House?

Babu SATYENDRA NATH ROY: Yes.

Mr. PRESIDENT: But you need not refer to the details of the Bill at this stage.

Babu SATYENDRA NATH ROY: I support the motion of the Hon'ble Minister.

Babu SATISH CHANDRA RAY CHOWDHURY: Sir, I wish to say a few words on this motion, and on what has fallen from Mr. Roy about the mufassal areas. Since it is a taxation Bill, I took the trouble

of consulting some local authorities—municipalities and district boards—and I found that the mufassal bodies were almost unanimous in their support of the principle of the Bill, although it is a taxation Bill. We find that the local bodies—municipalities and district boards—cannot expect to realize substantial money themselves by taxing motor-cars, etc., so that they can keep their own roads in a proper condition. But if this Bill is passed and if sufficient money is collected, then every local body in the mufassal will be able to approach Government to advance them sufficient money to keep their roads in proper condition. It is no use leaving the taxation to these local bodies, but Government should collect the money and distribute it to them. Now in the mufassal heavy lorries and other motor vehicles pass along the roads, with the result that the roads are in a deplorable condition. As a consequence, the cart traffic is very much impeded. Therefore, it is only bare justice that motor-bus owners, etc., who make such handsome profits should pay in order to keep the roads in a proper state of repair, so that the cart-owners may get relief. I submit that the only way to save the poor cart-owners is by keeping the roads in repair which can be done by taxing the owners of motor-buses and motor-lorries. For these reasons the taxation proposal seems to be on right lines, and it has been acclaimed by the mufassal people as quite reasonable and fair. Such a taxation is inevitable as the Government of India, as I understand, intends to come forward with a similar proposal. The passing of this Bill will obviate the necessity of placing ourselves in the hands of the Government of India and being controlled by the Central Government.

With these few words, Sir, I support the motion.

5 p.m.

Rai Bahadur KESHAB CHANDRA BANERJI: I rise to support the motion of the Hon'ble Minister to refer the Bill to a Select Committee. I do not think any useful purpose will be served by circulating the Bill for the purpose of eliciting public opinion thereon as has been urged by certain members to-day. The mufassal municipalities and district boards are definite and emphatic in their opinion in regard to legislation. In view of this fact I do not think that any good will result from inviting the opinions of district boards and municipalities. This will only have the effect of delaying the passage of the Bill without any corresponding advantage being derived from it. The hon'ble members who have suggested the circulation of the Bill forget the importance of the Bill which is a welcome measure and has been strongly advocated by district boards and municipalities during the last ten years. The bad condition of roads in the mufassal is due to the inability of the local bodies to maintain them in proper condition with the limited funds at their disposal. If the motion for

reference to a Select Committee is carried the members of the committee will have an opportunity to suggest modifications. It is not for this House to go into details. If the principle is accepted, the Bill may be modified in such manner as may be deemed necessary hereafter.

Babu KHETTER MOHAN RAY: I beg to support the motion for referring the Bill to a Select Committee. Motor-buses, lorries and other vehicles are increasing and the roads and streets are being heavily damaged by such increasing traffic that the local authorities, for want of sufficient funds, are not in a position to repair and keep the roads in a state suitable for motor traffic. The results are that roads in the districts and towns are becoming impassable in the rains. Therefore I welcome this Bill and hope and trust that this Council will pass it without delay.

Maulvi ABUL KASEM: I rise to support the motion of my friend Mr. Jalaluddin Hashemy. I take it that if we pass this motion for referring the Bill to a Select Committee we give our consent to the principle of the Bill which means that taxation will be controlled and legislated for by Government. This is a principle which I am sorry I cannot accept. True it is that we have motor-lorries and motor-cars that all damage our roads and for that reason the people who pay for the maintenance of the roads, cart drivers and pedestrians have to suffer. Certainly there should be taxation. A roving committee was appointed by the Government of India. They travelled all over India, consulted several people and came to certain conclusions. But, I submit, Sir, that instead of giving this power of distributing the money to the hands of Government it would be preferable that the authority for the imposition of this tax as well as the distribution of this money should be localised and each centre or each division of the Province must have its own taxation and its own system of dividing the money. It would be unfair to levy upon a district through which very little motor traffic passes the same amount of tax as is levied upon a district the roads of which suffer most on account of a great deal of motor traffic. For these reasons I submit that the Bill should be circulated for opinion and that we should not give our consent to the principle of the Bill as it stands.

Dr. NARESH CHANDRA SEN GUPTA: Do I understand, Sir, that Maulvi Abul Kasem was right in saying that by referring the Bill to a Select Committee we are committing ourselves not only to the principle of taxation in the Bill but also to this, that Government and Government alone will realise as well as distribute the tax? If that is so, the position would appear in a different light.

Mr. PRESIDENT: To what do you take exception?

Dr. NARESH CHANDRA SEN GUPTA: I was saying this. Maulvi Abul Kasem said that in referring the Bill to a Select Committee we were committing ourselves————

Mr. PRESIDENT: Would you please tell me to what portion of Maulvi Abul Kasem's speech you take exception to?

Dr. NARESH CHANDRA SEN GUPTA: I am not taking exception to any portion of Mr. Kasem's speech.

Mr. PRESIDENT: Please refer me to the particular portion in Mr. Kasem's speech which creates your difficulty.

Dr. NARESH CHANDRA SEN GUPTA: Maulvi Abul Kasem says that in referring the Bill to a Select Committee we accept the principle of the Bill and he also states that the principle of the Bill is that the tax should be collected as well as distributed by Government. I take it that that is not a matter of principle but a matter of detail. What we are accepting now is the principle of taxation.

Mr. PRESIDENT: You are right. The Select Committee would be quite competent to discuss the matter and come to a settlement.

Maulvi MUHAMMAD SAADATULLAH: Sir, I oppose the amendment for circulation of the Bill for public opinion. It is said by Maulvi Jalaluddin Hashemy that opinions of the Calcutta Corporation, Bengal municipalities, other local bodies and bus-owners are not before us. But, Sir, provision has been made for annual contribution to Corporation and therefore the Corporation has got no grievance or can have no opinion against the principle and provisions of the Bill. So far as Bengal municipalities and local bodies are concerned there is unanimity in the demand for legislation. The roads are in their worst condition and municipal funds do not permit to keep the roads under repairs which are necessary for the heavy motor traffic. We cannot use the roads on account of their worst condition and the people demand their improvement.

Bus-owners would also be benefited. Their vehicles suffer damages and early decay on account of bad roads. There should not be any delay over this matter. The principles of the Bill are salutary and we cannot brook delay and so I suggest that the Bill should be expedited as early as possible.

Mr. P. N. GUHA: Mr. President, Sir, I very strongly oppose the motion of my friend Mr. Jalaluddin Hashemy, for I am convinced that there is absolutely no opposition to the principle underlying the Bill.

Opinions received in the Legislative Department and since circulated to the members of this House in connection with a Bill of Munindra Deb Rai Mahasai of a similar nature will convince every one that a taxation on motor vehicles is being eagerly awaited everywhere. All municipalities and district boards and all district officers in the Province have given their unanimous support to the principle of taxation.

The Corporation of Calcutta are at the present moment realising a revenue by taxing the motor vehicles plying in the streets of this City and the only point of difference that may arise between the Corporation and the Government is the adequacy or inadequacy of the amount that will be paid to the former by the latter. The Bill provides that a sum of Rs. 4,00,000 shall be paid to the Corporation every year. I am told that this figure has been arrived at by comparing the receipts of the Corporation during the past few years. Sir, if I remember aright I think the Corporation's revenue on this head in 1929-30 was a few thousands short of Rs. 4,00,000. The debatable point is that this being an expanding source of revenue, it will increase year by year. The number of motor vehicles in Calcutta is increasing rather enormously and it is anticipated that the horse-drawn vehicles will in the very near future be a mode of transportation of the past. In that case the Corporation is not likely to remain satisfied with a fixed sum of Rs. 4,00,000. The settlement should be revised at the end of every financial year and I hope that the Select Committee will take this question into their special consideration.

Sir, I have received private letters from the chairmen of several municipalities and district boards urging me to request the Government to undertake a legislation on this behalf. Motor vehicles are making the condition of the roads in the districts miserable and the local bodies are unable to keep them in good repairs for want of funds. Then, Sir, my friend Dr. Naresh Chandra Sen Gupta thinks that opinion may differ as to the authority which should collect the tax. In other words he is not sure if the tax should not be collected by local bodies instead of by the Government. A moment's reflection will show that the entire object of the legislation on this behalf will be baffled if the operation of the Act is not in the hands of a central body. Anyway the Select Committee will be quite free to discuss this point. I again assure you, Sir, that there is no opposition anywhere about the principle of the Bill and it is for that reason that I very strongly oppose the amendment of Mr. Hashemy, which is nothing but dilatory.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, on account of the influx of the large number of motor vehicles during the last few years there has been a persistent demand by the municipalities and district boards of this Province to be invested with powers to tax these

conveyances on the ground that they have led greatly to the increase of maintenance costs of roads, which were never meant for motor cars, heavy motor buses and lorries. The only municipality which can now levy a tax on them is the Corporation of Calcutta. All other local bodies have felt the want of this power; I dare say that their demand is quite legitimate. It is my priviledge to-day to introduce this Bill which will, I hope, meet their wishes and supplement their income to enable them to open out new roads and maintain the existing roads in a better state of repair and will also, in the near future, improve the resources of the country by introduction of better facilities of transport, and connecting the interior of the country to centres of trade and commerce and railway stations. I do look forward with hope and confidence to a day when the money available from the fund of the Road Board and the revenue derived from the tax on motor vehicles will bring about a transformation in the condition of our roads and means of communication.

(1) *Statutory position of a local Government in the matter.*—Under Schedule II of the Scheduled Taxes Rules, the authority for which is derived ultimately in the Government of India Act, the Provincial Legislative Council is competent to pass legislation for the direct taxation of vehicles by individual local authorities. Following the examples of Bihar and Orissa, Madras and the Punjab, the Bill proposes, however, to tax motor vehicles on a uniform basis throughout the Province for the purpose of creating a central fund, expenditure from which on roads will be allocated according to the needs of the different areas. In this form the Bill has required the previous sanction of the Government of India to its introduction, and it is hoped that the Council will be willing to adopt substantially the measure in the form in which previous sanction had been given as a speedy way of increasing the resources available for roads.

(2) *Principle of provincial taxation and distribution.*—The Bill differs from Motor Vehicles Taxation Bill which was shelved in 1926 as it is based on the principle of provincial taxation and distribution of the proceeds. The advantages of provincialising taxation may be easily explained. A uniform system is adopted throughout the province, and its enforcement is facilitated by linking up with the system for licensing of motor vehicles. All difficulties which would otherwise arise in regard to motor vehicles running through several jurisdictions, such for instance as Calcutta and the suburban municipalities, are obviated; and there will be no liability to double taxation.

Finally, the proceeds of the taxation can be allocated for expenditure by local bodies on their roads in accordance with a self-consistent and logical scheme, for communications in the province as a whole rather than to be frittered away in petty local works without any

guarantee of permanence or connection between each other. It is possible, or one may say probable, that recommendations of the Road Board, or of some other body constituted for the purpose would have to be taken for the actual distribution; and also on the question of the respective allotment for new works and maintenance. As I have already said the only local body that has power of taxation of motor vehicles at present is the Calcutta Corporation. Government considered the alternative of leaving these powers as they stand and legislating for the rest of the province or of making one comprehensive measure for the province as a whole, including Calcutta and making an allotment to Calcutta corresponding to the proceeds derived by it, from the taxation of motor vehicles in recent years. The same reasons that render preferable taxation on a provincial basis make it desirable that the Calcutta area should be included in the one system and the latter alternative therefore has been adopted. The figure for a fixed grant to the Calcutta Corporation has been taken at Rs. 4 lakhs. Government appreciate that it will be argued on behalf of the Corporation that as the proceeds of taxation of motor vehicles in Calcutta might have increased in future years the fixed allotment of Rs. 4 lakhs does not do them full justice. There is, however, no certainty that this source of revenue would go on increasing. In the present year, for instance, it might show a falling off. Moreover, the Calcutta municipal area is likely to benefit indirectly, if not directly, from expenditure under the fund even after the allotment of Rs. 4 lakhs to Calcutta. These are considerations which have to be borne in mind as against any argument for increasing the fixed allotment to Calcutta, but the point will no doubt be discussed further in the Select Committee.

(3) As regards the basis of taxation, Government have adopted the principle of following the lines of taxation in the measure passed last year in Bihar and Orissa though the scale of taxation is pitched rather lower. The principle adopted is assessment of seating capacity on private cars and cars for hire and assessment by weight-carrying capacity on commercial vehicles. These principles have the advantage of uniformity with taxation in the neighbouring province and of automatic adjustment in the case of passenger vehicles plying for hire and commercial vehicles carrying goods of the taxation to the volume of business carried.

(4) One other point of special interest to Calcutta remains to be noticed, namely, the effect of this Bill on powers of local Government to tax motor vehicles in Calcutta and the suburban municipalities for the purpose of the Howrah Bridge. It is now generally realized that Government are actually in possession of these powers under the Act of 1926 and that it would have been open to Government, instead of bringing in the present measure to increase the resources for expenditure on roads, to impose taxation on the lines of the present Bill for

purposes of the new Howrah Bridge by simple notification without reference to Council. Government have followed what they believe to be a more far-sighted course of treating the taxation of motor vehicles as a provincial source of revenue for expenditure on roads throughout the province, rather than make the necessity for the purposes of the Howrah Bridge a first charge on such taxation in Calcutta and the neighbouring municipalities which would affect the bulk of the motor traffic. The exact relationship to be established between the present Bill and the powers of Government under the Howrah Bridge Act remains to be settled in Select Committee. Government hope, however, the Council will respond to the initiative shown by Government in approaching this new source of revenue in the interests of roads throughout the province as a whole and will accept the reference to the Select Committee where the question referred to with numerous other details will be fully discussed.

The motion that the Bill be circulated for the purpose of eliciting opinion thereon before the 15th October, 1931, was then put and lost.

SECRETARY to GOVERNMENT, LOCAL SELF-GOVERNMENT DEPARTMENT (Mr. C. W. Gurner): Sir, may I, with your permission, move a short notice amendment? The motion is that the names of the following gentlemen be added as members of the Select Committee, viz.:—

Mr. D. J. Cohen,
Khan Bahadur Muhammad Abdul Momin,
Mr. A. F. M. Abdur Rahman, and
Mr. P. N. Guha.

MUNINDRA DEB RAI MAHASAI: I beg to move, that after the name of Maulvi Tamizuddin Khan the following names be inserted namely:—

Mr. P. Banerji, and
Munindra Deb Rai Mahasai.

Maulvi SYED JALALUDDIN HASHEMY: I beg to move that after the name of Maulvi Tamizuddin Khan the following names be inserted, namely:—

Babu Jitendralal Bannerjee,
Kazi Emdadul Hoque, and
Syed Jalaluddin Hashemy.

Sir, in moving this amendment I beg to add that on going through the list of members of the Select Committee the Hon'ble Minister-in-charge will at once find that the selection of names has been rather one-sided. We have just had a motion for the inclusion of Mr. P. N

Guha's name and the names of other gentlemen. What I want to submit is that the other groups are not at all represented on the committee; for example, the names of gentlemen like Mr. J. L. Bannerjee, Mr. N. K. Basu, and Dr. Sir Nilratan Sircar have been deliberately excluded————.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I most emphatically repudiate the suggestion made by my friend Mr. Hashemy.

Mr. PRESIDENT: Mr. Hashemy, you are quite wrong in saying that these names have been deliberately excluded.

Maulvi SYED JALALUDDIN HASHEMY: I am sorry, Sir. However, I think that some names of gentlemen on this side of the House should be added.

Maulvi ABDUL HAKIM: I beg to move that after the name of Maulvi Tamizuddin Khan the following names shall be inserted namely:—

Babu Jitendralal Bannerjee, and

Maulvi Abdul Hakim.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I rise on a point of order. Mr. Hakim has not moved the first part of the amendment—that the following names shall be omitted, namely:—

Mr. W. J. Kerr,

Mr. C. G. Cooper, and

Mr. G. R. Dain.

Maulvi ABDUL HAKIM: I do not move the first part of the amendment. When I sent in my amendment I did not ask for the omission of these names and I am surprised to find that the amendment has been put in this form.

Maulvi TAMIZUDDIN KHAN: As Maulvi Abdul Hakim says that he did not ask for the exclusion of certain names, was it a mistake on the part of the office?

Mr. PRESIDENT: That is denied by those who are responsible for the list.

The following motion was called but not moved:—

Haji BADI AHMED CHOWDHURY to move that after the name of Maulvi Tamizuddin Khan the following names shall be inserted, namely:—

Rai Kamini Kumar Das Bahadur,

Khan Bahadur Muhammad Abdul Momin,

Mr. A. K. Fazl-ul-Huq, and

Haji Badi Ahmed Chowdhury.

Mr. C. W. GURNER: Sir, I have been instructed by the Hon'ble Minister to oppose the supplementary amendments for increasing the number of members on the Select Committee. It is a delicate matter and we have taken considerable care to pick and choose and we have got a committee on which all those who are likely to be concerned with the matter both from the view point of the mufassal and Calcutta are represented; and I have been asked by the Hon'ble Minister-in-charge to assure the House that all interests will receive most adequate consideration in that committee.

Maulvi SYED MAJID BAKSH: Sir, are all these persons owners of motor-cars?

The motion of Mr. C. W. Gurner that after the name of Maulvi Tamizuddin Khan the following names be inserted, namely, Mr. D. J. Cohen, Khan Bahadur Muhammad Abdul Momin, Mr. A. F. M. Abdur Rahman and Mr. P. N. Guha, was put and agreed to.

The motion of Munindra Deb Rai Mahasai was then put and lost.

5-30 p.m.

The motion by Maulvi Syed Jalaluddin Hashemy was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kisheri Mohan.
Choudhury, Maulvi Nural Abcar.
Choudhury, Maulvi Abdul Ghani.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Haque, Kazi Emdadul.
Hossain, Maulvi Muhammad.
Kasem, Maulvi Abul.
Maiti, Mr. R.
Meekerjee, Mr. Syamaprasad.
Poddar, Mr. Ananda Mohan.
Poddar, Seth Hunuman Prasad.
Rai Mahasai, Munindra Deb.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Hosani.
Ray, Babu Satyendra Nath.
Ray Choudhuri, Babu Hem Chandra.
Sen Gupta, Dr. Naresh Chandra.
Sircar, Dr. Sir Nilratan.
Sulaiman, Maulvi Muhammad.

NOES.

Armstrong, Mr. W. L.
Austin, Mr. J. M.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Dash, Mr. A. J.
Farequi, the Hon'ble Khan Bahadur K. G. M.
Faweus, Mr. L. R.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Susil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Maulvi Amin-ur-Zaman.
Khan, Mr. Razaur Rahman.
Luke, Mr. N. R.
Macalister, Mr. A. S.
Miller, Mr. C. C.
Mitter, the Hon'ble Sir Provash Chunder.
Mullick, Mr. Mukunda Behary.
Nazimuddin, the Hon'ble Mr. Khwaja.
Nelson, Mr. J. W.
Norton, Mr. H. R.
Ormond, Mr. E. C.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Ray, Babu Amulyadhan.
Reid, Mr. R. N.
Ray, Mr. Saileswar Singh.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Saadatullah, Maulvi Muhammad.
Sarkar, Sir Jadunath.
Sarker, Rai Sahib Rebati Mohan.
Strenash, Mr. K. F. G.
Wordsworth, Mr. W. C.

The Ayes being 27 and the Noes 44, the motion was lost.

Mr. P. BANERJI: Shame, shame.

Mr. PRESIDENT: Mr. Banerji, you are not supposed to cry "shame, shame."

Mr. P. BANERJI: But that is parliamentary.

Mr. PRESIDENT: No, it is not. Order, order.

The motion of Maulvi Abdul Hakim was then put and lost.

The following motion of the Hon'ble Mr. Bijoy Prasad Singh Roy, as amended in Council, was then put and agreed to:—

"That the Bengal Motor Vehicles Tax Bill, 1931, be referred to a Select Committee consisting of the Hon'ble Mr. Bijoy Prasad Singh Roy, Mr. C. W. Gurner, Mr. W. J. Kerr, Mr. C. G. Cooper, Mr. G. R. Dain, C.I.E., Mr. R. Higgins, Khan Bahadur Maulvi Alimuzzaman Chaudhuri, Rai Bahadur Keshab Chandra Banerji, Khan Bahadur Maulvi Azizul Haque, Babu Satish Chandra Ray Chowdhury, Mr. S. M. Bose, Bar.-at-Law, Mr. Sarat Chandra Bal, Maulvi Tamizuddin Khan, Mr. D. J. Cohen, Khan Bahadur Muhammad Abdul Momin, Mr. A. F. M. Abdur Rahman and Mr. P. N. Guha with instructions to submit their report as soon as possible and that the number of members whose presence shall be necessary to constitute a quorum shall be five."

The Bengal Opium Smoking Bill, 1931.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to introduce a Bill to provide for the control of the practice of smoking prepared opium.

The Secretary to the Council then read the short title of the Bill.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to move that the said Bill be circulated for eliciting opinion thereon by the 30th November, 1931.

Sir, as I have stated in the Statement of Objects and Reasons of this Bill the question of legislation for the purpose of suppressing opium-smoking in the Presidency of Bengal originated with the recommendations of the Royal Commission on opium in 1895, but was postponed for various reasons till its revival in consequence of the recommendations of the International Opium Conference which met at Shanghai in 1909. The Great War, however, prevented further progress in the matter. Subsequently as a result of the first Opium Conference held at Geneva in 1925 the British Government agreed to bring about a gradual and effective suppression of the manufacture of internal trade in and the use of prepared opium in those territories within its jurisdiction in which the practice of opium-smoking exists. By introducing this Bill Government are discharging a long deferred obligation under the terms of the first Geneva Conference, and hope successfully to discourage and check the vice of opium-smoking to which a pretty large number of people, mainly of course Chinese, are addicted. I regret to admit that Bengal lags behind the provinces of the North-West Frontier Provinces, the Punjab, United Provinces, Central Provinces, Bihar and Orissa and even Assam and Burma in this matter. These provinces placed their Bills on the Statute Book several years before. In some of the provinces, specially in Burma, the measure has worked very successfully, the total number of registered smokers of opium in Burma in 1924 was 18,337; it was reduced to 11,747 in 1929. The Act has worked well also in Bihar and Orissa and Assam. On these grounds it may be reasonably hoped that it will be equally effective in this province.

The system of registration of habitual smokers has also been provided for in this Bill; and persons whose names will not appear in the register of smokers, will be punished for smoking opium or for being found in possession of prepared opium or apparatus used for the smoking of or in manufacture of prepared opium. Keeping of smoking dens and smoking of opium in the company of two or more persons have been declared illegal and punishable under law. It is hoped that these provisions will have deterrent effect on the public, and in course of a few years' time when the present generation of people addicted to smoking of opium will cease to exist this vice will also be stamped out.

Sir, I cannot close my remarks to-day without extending my sincerest thanks to my esteemed friend, Rai Bahadur Dr. Haridhan Dutt, whose indefatigable zeal and enthusiasm in this matter has been a source of great inspiration to me in introducing this measure.

5-45 p.m.

Rai Bahadur Dr. HARIDHAN DUTT: I rise not to oppose the introduction nor the circulation of the Bill, but there is one question of principle for which I consider it my duty to say a few words in anticipation of any opinion that may be expressed by the people of Bengal. As the Hon'ble Minister has very aptly said, it is a very long deferred action of Government: for a very long long time attempts to do away with this most satanic thing were being made in this Province. I happened to be a member of the Opium Enquiry Committee which was constituted by Government, and along with my co-members I went to see what was going on in Calcutta and in the surrounding districts. We stood quite aghast at the most distressing sights which came to our eyes. It would be very unfortunate for anybody to visit these places and to describe to the civilised people what is actually taking place there. Mr. J. N. Roy, for whom I had the highest respect, is no longer in our midst: he happened to be the President of that Committee. That gentleman, a very high official of the Government of Bengal, when he visited one of those places along with us closed his eyes, turned round and said "it is a horrible thing; it must go otherwise our people would not be called civilised." Then I come to Rai Sarat Kumar Raha Bahadur, the Excise Commissioner, who was also a member of the Committee of which Mr. Roy was the President as I have already said. Mr. Raha also admitted that things were very bad indeed. As soon as the question of prosecution for keeping opium-smoking dens arose before the Committee Mr. Roy assured us or rather advised us not to take up that question because Government had decided to suppress them. On that assurance from so high an official as Mr. Roy, who was then a member of the Board of Revenue, the Committee thought it best not to go into the question and left the matter alone and went into the other questions that were before the Committee. We were carried away with the idea or rather we were satisfied with the idea that prohibition of opium-smoking dens was practically a matter decided upon by the Government of Bengal. The other members felt like me. As a member of this Council I took the earliest opportunity of placing this matter before the gentleman who was the predecessor of the present Minister. He assured us that steps were being taken to suppress opium-smoking. Then we who felt an interest in this matter waited and waited till at last my esteemed friend the Hon'ble Minister has brought this Bill for the suppression of the practice of opium-smoking. May I humbly ask him and the Government to tell us if it is an honest attempt to suppress opium-smoking or is it not that the registering of the vice will have the effect of continuing it for at least another generation?

My friend has cited certain historical things in connection with the League of Nations. They are all applicable to the vice of opium-eating, but we must differentiate between the ordinary habit of taking

opium and the most extraordinary and obnoxious habit of smoking opium in the form of *chandu*. We all hold and I hope all people, decent or indecent, will agree with us that so far as opium-smoking is concerned, it is going on in Calcutta and its neighbourhood and this is a matter which has to be suppressed and suppressed at once. Instead of doing that my friend has brought forward this legislation. If you ask for my personal opinion I will at once say I accept it, for half a loaf is better than no bread at all. Government can only suppress it but Government will not do it. What Government is giving us, as I have already said, is only half a loaf. We must be satisfied because beggars cannot be choosers, but if we were choosers we would say total suppression was the only remedy. My friend would have been very well advised to do away with the whole thing—suppress opium-smoking in Bengal. But he has advised us to give up that point and to be satisfied with small mercies. All I can say, I have to accept this small mercy.

Then I have heard it said or whispered into my ears that those who are in the habit of opium-smoking how would they feel if it is suppressed at once. I happen to be a member of the medical profession and as such have some experience in this matter. I can assure my friends here that if an addict is prevented from smoking opium his health is likely to improve and not suffer, but if he does suffer he may take recourse to large doses of crude opium and that too is preferable to this obnoxious, beastly habit of smoking opium.

Mr. NARENDRA KUMAR BASU: He will die if he cannot smoke opium.

Rai Bahadur Dr. HARIDHAN DUTT: I do not know wherefrom my friend Mr. Basu gained that experience, but I can assure him that before the Opium Committee some of the gentlemen, who came as witnesses having had vast experience of Indian jails, gave us to understand that in jails they have some times to accommodate prisoners who are accustomed to opium-smoking by providing them with crude opium. But I think opium is not permitted in His Majesty's jails, for long even to these cases and the prisoners gradually improve in health. All these are facts and are available to the Hon'ble Minister. If he will kindly inquire he will find that what I am saying is absolutely correct. If that is so, why is this solicitude for allowing these people to continue in this pernicious habit of opium-smoking till the last day of their life. It need not be apprehended that these people will suffer in health if the Hon'ble Minister suppresses opium-smoking. I am interested in the suppression of opium-smoking and while I am speaking on that subject I hope my friends will realise that there is a vast difference between opium-eating and opium-smoking. I will thank the Hon'ble Minister most heartily if after hearing the views of a large number of people he will take action for total suppression of opium-smoking.

Dr. Sir NILRATAN SIRCAR: It is, however, unfortunate that we are unable to oppose the principle of the Bill at this stage. I do not oppose——

Mr. PRESIDENT: You can do it without touching upon the details.

Dr. Sir NILRATAN SIRCAR: Mr. President, Sir, I feel that registering a vice means recognition, means toleration, means helping its circulation in an indirect way. Suppression, we can understand very well as the only remedy in the case of this habit, which has led to moral, physical and spiritual depravity of the persons who are addicted to it. Bad as it is for any people of the world, the habit operates in the worst way upon the people of Bengal: and the term *gulikhore* or *chandukhore* in this land, is synonymous with a beast. I do not know whether any reform scheme would be justifiable that would help people to continue this habit. Registration, however, would lead to that end. Foreigners very often form an estimate of the moral condition of the people of a country by the records of the Excise Department; and if there be a record of registration of so many opium-smokers in Bengal, it would not add to the credit of Bengal.

As regards this particular habit, there are no two opinions as to its injuriousness and dangers. Why then should Government hesitate to suppress it at once? Medical opinion—my friend Dr. Haridhan Dutt has already quoted. There is no medical man, whether he be a *kabiraj*, a *hakim* or a physician of the Western school, who would hold that the habit of opium-smoking is justified on grounds of health or that it is of the least advantage to the consumer. Opium-smoking is hundred times more injurious than the habit of taking opium by mouth. Then it is not like some other drug habits where the consumer runs the risk of losing his health if he has to give up that drug. Opium-smoking may advantageously be replaced by crude opium. Therefore we fail to find any justification for a measure to help confirmed Bengali opium-smokers for their life time. Decidedly it would go against their best interests. If the measure is proposed to the adopted in the interests of people other than Bengalis, such as the Chinese, who are under prohibition in their own country, it becomes absurd. And for a country whose people are struggling to rise to the highest standard of civilised nationality to recognise, to tolerate and to encourage this outrageous habit would be a most unworthy, undesirable and indefensible position. I appeal to the Government to withdraw this Bill, if possible. Government should have nothing to do with opium-smoking. Let the evil habit die its natural death.

Maulvi TAMIZUDDIN KHAN: What would be the position if the motion for circulation of the Bill be defeated?

Mr. PRESIDENT: If the motion for circulation of the Bill is defeated, the Hon'ble Minister will have the option of bringing it forward again in another session.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I appreciate very much the anxiety of my friend Rai Bahadur Dr. Haridhan Dutt and my esteemed friend Sir Nilratan Sircar that this vice should be stamped out, if possible, at once. I wish that it were possible for Government to take steps in this direction. As I said in introducing this measure that the people who are largely addicted to this vice are the Chinese population in Calcutta.

6 p.m.

You should realize the difficulties of Government. They are not our subjects: they are foreigners, their habits and customs are quite different from ours, and so we have got to handle them very delicately. And the only recognized principle which the Governments of other provinces have found quite effective is the system of registration. This registration does not mean that we shall go on registering for ever. Any one coming after a definite period will be refused registration, and he will be punished if he is found violating the law. So, we may reasonably expect that in the course of a few years the people who are addicted to this vice will die out and with them the vice. I repeat, Sir, that I fully appreciate the anxieties of my esteemed friends on the other side of the House, and I would have been very glad to meet their wishes. But there are practical difficulties. So, as Rai Bahadur Dr. Haridhan Dutt has stated, we should rather accept half a loaf. If we have to do away with this obnoxious vice we shall have to try to check the evil gradually and I accordingly hope that the House will accept my motion.

Dr. NARESH CHANDRA SEN GUPTA: May I inquire if the Hon'ble Minister can assure this House that the effect of this six months' time will not convert this city into an asylum for the subjects of the Chinese Republic who cannot smoke in their own country?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I cannot say.

Rai Bahadur Dr. HARIDHAN DUTT: Sir, I have a letter addressed to me by the Consul General of the Chinese Republic in Calcutta in which he advocates the principle of prohibition of opium-smoking. He

also requests me to exercise all my powers—although they are very limited—to see that the necessary legislation is passed for the suppression of opium-smoking.

The motion that the Bengal Opium Smoking Bill, 1931, be circulated for eliciting opinion thereon by the 30th November, 1931 was then put and a division taken with the following result:—

AYES.

Armstrong, Mr. W. L.
Austin, Mr. J. M.
Bai, Babu Lalit Kumar.
Bai, Mr. Sarat Chandra.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Haji Badi Ahmed.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Gain, Mr. G. R.
Das, Babu Satyendra Kumar.
Dash, Mr. A. J.
Eusufji, Maulvi Nur Rahman Khan.
Farequi, the Hon'ble Khan Bahadur K. G. M.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Susil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Guha, Babu Profulla Kumar.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Amin-ur-Zaman.
Khan, Mr. Razaur Rahman.
Luke, Mr. N. R.
Macalister, Mr. A. S.
Marr, the Hon'ble Mr. A.
Miller, Mr. C. C.
Mitter, the Hon'ble Sir Provash Chunder.
Mullick, Mr. Mukunda Behary.
Momin, Khan Bahadur Muhammad Abdul.
Nazimuddin, the Hon'ble Mr. Khwaja.
Nelson, Mr. J. W.
Norton, Mr. N. R.
Philpot, Mr. H. C. V.
Poddar, Mr. Ananda Mohan.
Prentice, the Hon'ble Mr. W. G. R.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur-
Ray, Babu Amulyadhan.
Ray, Babu Nagendra Narayan.
Reid, Mr. R. N.
Roy, Babu Haribansa.
Ray, Mr. Saileswar Singh.
Ray, the Hon'ble Mr. Bijay Prasad Singh.
Saadatullah, Maulvi Muhammad.
Sarkar, Sir Jadunath.
Sarker, Rai Sahib Rebati Mahan.
Stronach, Mr. K. P. G.
Sumner, Mr. C. R.
Wordsworth, Mr. W. C.

NOES.

Ali, Maulvi Hassan.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Choudhury, Maulvi Nural Abser.
Choudhury, Maulvi Abdul Ghani.
Dutt, Rai Bahadur Dr. Haridhan.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Kasem, Maulvi Abul.
Khan, Maulvi Tamizuddin.
Maiti, Mr. R.
Mookerjee, Mr. Syamaprasad.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Nag, Babu Suk Lal.
Poddar, Seth Hunuman Prosad.
Rai Mahasai, Munindra Deb.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekhareswar.
Rout, Babu Hemal.
Roy, Babu Satyendra Nath.
Roy, Mr. Sarat Kumar.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.
Singh, Srijut Taj Bahadur.
Sircar, Dr. Sir Nilratan.
Solaiman, Maulvi Muhammad.

The Ayes being 62 and the Noes 30, the motion was carried.

The Bengal State Aid to Industries Bill, 1930.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, I beg leave to move that the Bengal State Aid to Industries Bill, 1930, as it has emerged from the Select Committee, be taken into consideration.

The Bill has not undergone much change in the Select Committee, the principal changes being amendments in clauses 15, 16, 19, 21, 23 and 26, as indicated in the body of the Bill by square brackets and underlinings. The reasons for making these amendments have been explained in the report of the Select Committee, and these amendments appear to be desirable and necessary.

The following motions were called but not moved:—

Dr. NARESH CHANDRA SEN GUPTA to move that the consideration of the Bill be adjourned until the Government is in a position to make adequate financial provision for giving State aid to deserving industries.

Dr. NARESH CHANDRA SEN GUPTA to move that the consideration of the Bill be adjourned to July, 1932.

The motion of the Hon'ble Khan Bahadur K. G. M. Faroqui was then put and agreed to.

Clause 2.

Mr. PRESIDENT: The question is that clause 2 stand part of the Bill.

The motion was put and agreed to.

6-15 p.m.

Clause 3.

The following motion was called but not moved:—

Babu KISHORI MOHAN CHAUDHURI to move that in clause 3 (*1*) (*a*), line 1, for the words "two members" the words "one member" be substituted.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, I have not yet moved motion No. 3 that stands in my name.

Mr. PRESIDENT: I will take it up afterwards.

Maulvi TAMIZUDDIN KHAN: I beg to move that for clause 3 (*1*) (*c*) the following be substituted, namely:—

"(*c*) Five members to be elected by the Bengal Legislative Council to represent the five divisions of the province."

My object in moving this amendment is that the Board of Industries should consist of people who are really interested in the progress and advancement of major industries and cottage industries of this province. The Government proposal is that one member shall be elected from the Bengal Chamber of Commerce, one from the Bengal National Chamber of Commerce, one from the Marwari Association and one from the Calcutta Trades Association. It is quite clear from the proposals that Government intends that the Board should consist of a majority of members representing the commercial interests. Of course people who are interested in commerce may also be interested in industries, but it is our sad experience that very often the interests of commercial people are antagonistic to the real interests of the agriculturists or industrialists. The case of jute is an instance in point. We have seen that very often the interests of commerce are directly antagonistic to the interests of the jute-growers. So, I am afraid that if this Board is composed of a majority of members representing commerce in various matters, their interests will clash with the real interests of industry as a result of which industries will suffer to a great extent. Therefore I think it is not safe to constitute a Board of the kind proposed by Government. My proposal is that five members should be elected by this Council. I do not mean in my amendment that those five members should be members of this Council but only that this Council should be given the right of electing those five members. I think if this right is given, this Council will always elect such persons as will be really useful in these matters and will look to the interests of the industries. My proposal is that five members, one from each division of this province, should be on this Board. I hope, therefore, that my proposal will be accepted by the Council especially in view of the fact that a committee consisting of a majority of members representing commerce will be fraught with immense risk and danger.

With these words I commend my motion to the acceptance of the House.

Mr. A. T. WESTON: Mr. President, it is my privilege to ask the House to oppose this amendment. The Maulvi Sahib who moved this amendment commenced by suggesting that the interests of the people of Bengal in this direction were antagonistic to those of commercial men. Now, Sir, I do not think that this is the case. Most people are sympathetic to the industrial development and increasing economic status of Bengal's people. Government who represent the interests of the people of the whole of this province are also in the last resort,

their safeguards and the principle which has been borne in mind when putting in the Bill before the House, the Board as constituted in the Bill, is to keep the membership of the Board confined to a limited number of gentlemen with the necessary experience and with the necessary capacity and judgment and who feel sympathy with the economic and industrial development of the province. So, Sir, if this Council were disposed to accept the Maulvi Sahib's amendment, we should find that the main object of our Bill would be frustrated. Then, Sir, it would appear that with the best of intentions behind the amendment, the representatives from the five divisions would claim that they are nominees of their divisions and that the particular industries of their divisions should be encouraged and should have a priority of claim, etc., etc. So it would happen that the Board, which should be a responsible executive body meeting quite frequently, on occasions at any rate, and taking responsible action for the development of the industries of the province, would find themselves incommoded by the fact that some of their members were chosen from the five divisions of this province. These members would be living long distances away, in inaccessible places perhaps, comparatively difficult to bring together resulting in difficulty in getting business done. The intention behind the Bill is that the Board should be an expert, workable, efficient, responsible body, and limited to a small number of gentlemen interested in the industries of this province and capable of taking responsible action. With these few words of explanation I would ask the Council on behalf of the Ministry of Agriculture and Industries to reject the amendment.

The motion of Maulvi Tamizuddin Khan was then put and lost.

Mr. PRESIDENT: I will have one discussion on items Nos. 6, 7, 8, 9 and 10; of course they will be put separately. The Hon'ble Minister also would perhaps like to make one speech in reply to them.

Mr. NARENDRA KUMAR BASU: I beg to move that in clause 3 (*1*) (*c*), line 1, for the words "one member" the words "three members" be substituted.

Sir, my demand is a very modest one. The Board as constituted in the Bill consists of eight members and I have proposed that two more members be included just to make the number a round ten. Let us have three members of the Legislative Council elected from among the non-official members of this House. I hope this amendment will be accepted.

Dr. NARESH CHANDRA SEN GUPTA: My motion is the same as Mr. Narendra Kumar Basu's.

Mr. PRESIDENT: There is only one motion before the House. You can speak on Mr. Basu's motion.

Dr. NARESH CHANDRA SEN GUPTA: I quite appreciate the design of the Hon'ble Minister to have a Board which will not be unwieldy and which will not be difficult to call together and which will be more or less an expert body. I submit that an addition of two members to represent this House will not make the Board either unwieldy or overweigh the vast body of expert opinion that we shall have according to the scheme of the Bill. On the other hand, besides expert opinion, there should be laymen to consider the questions that will come up before the Board. The Board will have to consider not only the technical and economic aspects of the proposals that will come before them; they will also have to consider in general how far the proposals before the Board are going to assist the general economic welfare of the province, and that is a matter upon which lay opinion may have a great deal to say; upon which elected representatives of the people may make bold to offer an opinion which need not be inferior to the opinion of the experts. When two alternative proposals are before the Board, the Board will have to make up its mind as to which of the alternatives will in the long run be more beneficial to the country, or, other things being the same, will be approved by the people. For the purpose of ascertaining the mind of the people, the Board should welcome assistance from public opinion as voiced by elected representatives of the people in this Council.

Sir, the constitution of the Board has been drawn up, if I may say so, almost exclusively on the basis of expert opinion. Expert commercial opinion has been given a representation which is, I think, altogether out of proportion. It is wholly unnecessary to have so many men of trade and commerce on a Board which will have to consider questions not wholly technical. The representative of trade and commerce is expected to give expert opinion as to the business possibility of a proposition before the Board. With regard to that, that opinion may be furnished by a single representative, but we are going to have a great many representatives of the various commercial bodies. At any rate the people of the province generally as represented in this legislature are entitled to have their say with regard to the relative merits of a proposition before the Board from a point of view other than that of the technical expert—from the point of view of its reaction upon the welfare of the country as a whole and the ultimate uplift of the country.

Babu KISHORI MOHAN CHAUDHURI: I beg to move that in clause 3 (*1*) (*c*), line 1, for the words "one member" the words "two members" be substituted.

Sir, my amendment is a very simple one and almost the same as the other amendment moved by Mr. N. K. Basu, the only difference being that whereas he wants two additional members, I only want one additional member. If Mr. Basu's amendment is accepted, well and good. If not, I will press my motion.

With these words I move my amendment.

Babu SATYENDRA NATH ROY: I beg to support the motion of Babu Kishori Mohan Chaudhuri which also stands in my name. Sir, my friend Mr. Narendra Kumar Basu in his opening speech said that his was a very modest demand, namely, that he wanted two additional members. If that is so, then my demand is much more modest because I want only one additional member. Members of this House are aware that the present strength of the House is 140 and in the near future, with the introduction of provincial autonomy this number may be increased; so I think the interests of all the communities in this House, namely, Europeans, Muhammadans and Hindus, should be represented on this Board. That is why I have proposed two members instead of one. It is a very modest demand, Sir, and I hope that it will be agreed to.

6-30 p.m.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, Government have no objection to increase the number of representatives of the Council on the Board from "1" to "2." They cannot, however, agree to increase the number any further as they want to make the Board a small businesslike body. In view of this explanation I would ask Mr. Narendra Kumar Basu to withdraw his amendment. I am prepared to accept the amendment of Babu Kishori Mohan Chaudhuri to substitute two members for one member.

The motion of Mr. Narendra Kumar Basu, was then, by leave of the Council, withdrawn.

The motion of Babu Kishori Mohan Chaudhuri that in clause 3(*1*) (*c*), line 1, for the words "one member" the words "two members" be substituted was put and agreed to.

The following motions were called but not moved:—

Maulvi TAMIZUDDIN KHAN to move that clause 3 (*1*) (*d*) be omitted.

Maulvi TAMIZUDDIN KHAN to move that clause 3 (*1*) (*e*) be omitted.

Mr. NARENDRA KUMAR BASU to move that in clause 3 (*1*) (*e*), line 1, for the words "one member" the words "two members" be substituted.

Maulvi TAMIZUDDIN KHAN to move that clause 3 (*1*) (*f*) be omitted.

Maulvi TAMIZUDDIN KHAN to move that clause 3 (*1*) (*g*) be omitted.

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that after clause 3 (*1*) (*g*) the following shall be inserted, namely:—

"(*h*) One member elected by the University of Calcutta in the manner prescribed.

(*i*) One member elected by the National Council of Education, Bengal, in the manner prescribed:

Provided that the Board shall have power to co-opt for the discussion of any particular question before it not more than three members specially qualified to advise on the matter in question or having special knowledge of local conditions in the area where the industry in question is situate."

Sir, one part of the amendment is for the addition of two members and the other is the provision of co-option of certain expert members. My object in moving this amendment is precisely the same as indicated by Mr. Weston, *i.e.*, to provide a body which shall be competent to deal with all matters before them. The body, as constituted under the Bill, is remarkable in having no expert, *i.e.*, no industrial expert is on the Board. The Bill provides for two members, not Government servants, being appointed by Government, but it does not provide that they must be industrial experts: one member being a representative of the Imperial Bank will be a financial expert—one member who is to be elected from the Bengal Legislative Council will not be an industrial expert: one member from the Bengal Chamber of Commerce; one from the Bengal National Chamber of Commerce; one from the Marwari Association, and so on. For State aid to industries we have constituted a Board which but for the Government exercising its limited power of nomination may have no industrial expert. In order to provide for some men with industrial experience being on the Board, I have suggested the election of a member of the National Council of Education, which is a body entrusted with the work of giving industrial education to a large number of young men in Bengal. I am sure that the giving of the opportunity to the National Council means that they should elect one of their experts for this Board.

In providing for the election of a member from the Calcutta University, I have in mind another aspect of the matter also. The Calcutta University is entrusted with the education of our young men and it has an industrial side also. They ought to be on the Board so that they can help to find out means of providing occupation for the graduates of the University. In providing for State aid to industries, or in promoting new industries, the most important question is to determine how far all these industries are going to provide for the young men who are turned out of the University year after year. The requirements of these graduates will have to be taken into consideration in deciding on the schemes which come before the Board. For this reason I think the Calcutta University has a right to be heard in the deliberations of this body. Besides that, I have provided in the proviso for the Board having the power to co-opt experts to advise on particular questions before it. I do not suppose that there can be any the slightest objection raised from any quarter to the co-option of such an expert. The Board, as constituted under the Bill, must be very largely composed of non-experts. For these reasons I move this amendment.

Mr. NARENDRA KUMAR BASU: Sir, I rise on a point of information. Will this motion be taken in two parts—the first regarding the addition of members and the second proviso regarding co-option?

Dr. NARESH CHANDRA SEN GUPTA: I have no objection at all to this being done.

Mr. A. T. WESTON: Mr. President, Dr. Naresh Chandra Sen Gupta has given us an interesting exposition of his reasons for proposing this motion, and I understand that I can take it in two parts. The first is that he would add to the membership of the Board one member of the University of Calcutta in the prescribed form. Now, Sir, I am going to ask the House to oppose this motion. The Calcutta University, it is perfectly true, has a College of Science and has made some attempt to adapt scientific studies to the technical aspects of modern industry; but the Calcutta University is, I understand, an unwieldy body—I am an outsider but I am told that its agenda sometimes covers 450 items. It is a body which is essentially preoccupied with the very difficult question of education. Sir, on this ground I do not think that the Calcutta University is a proper body to select this type of industrial expert, who, according to Dr. Sen Gupta, is to be a real member of the Board. And lest the Council should think that there is any danger that there will be no industrial experts on

the Board, let me state that this is the very reason why Government have put in a clause regarding membership, and have taken the responsibility of choosing two members who are to be non-officials, and in the choosing of whom Government will be very careful to adjust any want of balance or deficiency of technical and industrial experience. I do want him to disabuse his mind of any idea of the kind that the Board is going to be composed only of amateurs and not of industrial or economic experts———

Sir NILRATAN SIRCAR: Is Sir P. C. Roy or Professor Hemendranath Sen an amateur in this matter?

Mr. A. T. WESTON: No, Sir, Sir P. C. Roy is one of the pioneers and monuments of industrial progress in Bengal and he is the gentleman who has served on the Board of Industries since its very inception: and I am perfectly sure that when the selection of members will be made, the name of Sir P. C. Roy will certainly be considered, and I do not think that Sir Nilratan Sircar need have any fear on that score.

Sir NILRATAN SIRCAR: I am afraid, however, from the speaker's attitude towards the Calcutta University, that that body has no right to speak on industrial matters.

Mr. A. T. WESTON: As I have already said, the University is a body which is preoccupied with matters education in all aspects and has very little experience indeed of the sort of industrial matters that this Bill is intended to deal with.

Then, Dr. Sen Gupta has suggested that some member selected by the Bengal National Council of Education should have a place on the Board. Well, Sir, I am going to ask the House to oppose this suggestion. The National Council in the industrial work which it is doing is confined to the institution at Jadavpur. The Department of Industries has often opened its arms of co-operation to that body, and I am sorry to say that in spite of the courtesy and kindness offered no co-operation and little response has been received from it. Sir, as this has been the attitude of this institution, I have to oppose the appointment of one member from so limited a body.

Dr. NARESH CHANDRA SEN GUPTA: It seems that Mr. Weston is under a misapprehension, as he has not stated anything as regards the proviso which constitutes the second part of my amendment.

Mr. A. T. WESTON: Sir, I am quite prepared to answer regarding the proviso, and I would do so now. I think Dr. Sen Gupta expounded the need, in case of particular emergency of the appointment of special experts. If he will turn to clause 14 (*1*) (*v*), page 4, of the Bill, he will see that the Board may make regulations in regard to the following matters, namely, the appointment, duties and procedure of special committees consisting wholly of members of the Board or partly of such members and partly of such other persons. So it is already provided for in this Bill.

Adjournment.

The Council was then adjourned till 3 p.m., on Wednesday, the 22nd July, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Wednesday, the 22nd July, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 113 nominated and elected members.

Starred Questions

(to which oral answers were given).

Stamp duty and registration fees.

*34. **Haji BADI AHMED CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that the fall of income is due to increase of stamp duty and registration fee and other requisites for copies, etc.?

(*b*) Will the Hon'ble Minister be pleased to state whether he is considering the desirability of reducing the stamp duty and registration fees and the fees for copies?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) and (*b*) No.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state whether there has been any fall of income in the Registration Department or what?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I would refer the member to the answer given. It is quite clear that that is not the cause of the fall of income.

Khan Bahadur Maulvi AZIZUL HAQUE: I think the member might ask that question of the gentleman who put that question.

Mr. PRESIDENT: Next question.

Certificate debtors in Rangpur.

*35. **Kazi EMDADUL HOQUE:** (*a*) Is the Hon'ble Member in charge of the Revenue Department aware of the trouble and injustice caused to the certificate debtors in the district of Rangpur who are being compelled to attend the Certificate Court at Rangpur Sadar after travelling about 100 miles from the remotest corner of the subdivisions of Kurigram and Gaibandha?

(*b*) If so, do the Government propose to decentralise all the certificate cases of the several Wards' estates in the district of Rangpur and allow the Subdivisional Officers or the Second Officers to deal with the certificate cases arising within the subdivisions?

(*c*) Has the attention of the Hon'ble Member been drawn to the order of the District Magistrate, Rangpur, not allowing the Subdivisional Officers to deal with certificate cases arising within the local limits of their jurisdiction, though they are *ex-officio* Certificate Officers under the Public Demands Recovery Act?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) There is no need for certificate debtors to go to Sadar unless they wish to go in order to contest their liability to pay the arrear rent. In 1930 there were only 17 objections in 5,427 cases. Government are not aware that any injustice or unnecessary trouble has been caused.

(*b*) No, but Government are prepared to consider the matter.

(*c*) No.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether the fact that there were 17 objections out of 5,427 cases, is not sufficient proof of the sufferings of the certificate debtors?

The Hon'ble Sir PROVASH CHUNDER MITTER: Just the other way.

Appointment of a European Manager of certain estates at Dacca.

*36. **Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether there is any proposal to appoint a European Manager in Dacca for all the estates jointly excepting the Dacca Nawab and the

(b) If the answer to (a) is in the affirmative, will the Hon'ble Member be pleased to state—

(i) the reasons for taking this step;

(ii) the experience of the nominee in zamindari of Bengal;

(iii) the age of the nominee;

(iv) his fitness for employment in zamindari according to the standard as given in rules 24 and 25 of the Bengal Wards Manual;

(v) the pay proposed to be given to him and house allowance, if any; and

(vi) his past career?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) No.

(b) Does not arise.

Dacca-Aricha Railway.

*37. **Rai Bahadur KESHAB CHANDRA BANERJI:** (a) Will the Hon'ble Member in charge of the Public Works (Railways) Department be pleased to state—

(i) the present position with regard to the Dacca-Aricha Railway scheme; and

(ii) reasons for the delay in completing the land acquisition proceedings in connection with the said project?

(b) With reference to the answer given to starred question No. 119 on the 31st March, 1930, will the Hon'ble Member be pleased to state—

(i) whether the final location survey has been completed;

(ii) whether it is a fact that the steamer companies are insisting on having higher headways of bridges than are considered necessary by Government for the steamers to pass;

(iii) what other conditions are being insisted on by the steamer companies;

(iv) whether in the event of the Railway Board being unable to take up the scheme on financial grounds, the Local Government will recommend to the Government of India the necessity for financing the scheme by issuing a loan on easy terms; and

(v) whether the Local Government recognises the importance and urgency of the project?

(*c*) Are the Government considering the desirability of publishing all correspondence on the subject of the Dacca-Aricha Railway scheme between the Local Government and the Government of India since the recommendation of the Dacca-Aricha Railway project by the Government of Lord Lytton?

(*d*) Will the Hon'ble Member be pleased to state whether this Government still adhere to the recommendation which they had previously made to the Government of India in regard to this project?

MEMBER in charge of PUBLIC WORKS (RAILWAYS) DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) (*i*) and (*ii*) The whole project is under examination by the experts of the Railway Board. Consequently the proceedings for the acquisition of the land cannot be taken up.

(*b*) (*i*) Yes.

(*ii*) The question of the headways of bridges over rivers is under inquiry by a committee appointed by Government, and presumably that committee will consider the demand, if any, of the steamer companies in regard to higher headways. The report of the committee has not yet been received.

(*iii*) No other conditions have yet been insisted on.

(*iv*) This question is premature. The matter will be considered if and when occasion arises.

(*v*) Government recognize that there is a very considerable volume of public opinion in favour of the project.

(*c*) Government do not consider the suggested publication desirable.

(*d*) Government are awaiting the results of the examination of the whole project by the experts of the Railway Board and regret they are unable to commit themselves to a definite statement until the views of the Railway Board are received.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether the Indian Legislative Assembly passed and subsequently the Secretary of State sanctioned the project?

The Hon'ble Mr. A. MARR: I think the member is right.

Rai Bahadur KESHAB CHANDRA BANERJI: What is the delay in furthering this project?

The Hon'ble Mr. A. MARR: Because the whole question has been reopened by the Irrigation Department.

Babu BATISH CHANDRA RAY CHOWDHURY: Is it a fact that the delay is due in the interest of the steamer companies?

The Hon'ble Mr. A. MARR: I do not know that there has been any delay at all on this account.

Mr. NARENDRA KUMAR BASU: With regard to answer (*iii*), will the Hon'ble Member be pleased to state if the demand of the steamer companies with regard to higher headways is existent or not? If it is, is that why the word "yet" is used?

The Hon'ble Mr. A. MARR: The steamer companies have made certain demands, and have been told that no answer will be given until the reply of the Enquiry Committee has been received; that is as far as I remember.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Member be pleased to state how long the project has been under consideration by the experts of the Railway Board?

The Hon'ble Mr. A. MARR: I cannot say.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether it is a fact that the Government of Lord Lytton recommended the scheme?

The Hon'ble Mr. A. MARR: The greater part of the scheme. I am afraid I must ask for notice as regards details.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether Government have gone back on their own recommendation?

The Hon'ble Mr. A. MARR: As far as I remember, the Government of Bengal did recommend part of the scheme but they must now reconsider the position in view of the report submitted by the Irrigation Department.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether or not there has been delay in undertaking acquisition proceedings, although Sir George Schuster, who met a deputation about two years ago, gave them to understand that land acquisition proceedings would be proceeded with immediately?

The Hon'ble Mr. A. MARR: I do not know what the Government of India said.

Resolutions of All-India Medical Conference, Poona.

*38. **Maulvi Syed JALALUDDIN HASHEMY:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the attention of the Government has been drawn to resolutions Nos. 5 to 10, 37 and 41 passed at the last All-India Medical Conference held at Poona in April, 1931?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what steps do the Government contemplate taking in the matter?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) Government have received a copy of the resolutions passed at the Conference.

(*b*) Government note the resolutions as expressing the policy of the Conference and will consider whether they require action by Government.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state the approximate time in which the Government propose to take action?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I am not in a position to give any more information.

Distress in Jalpaiguri.

*39. **Mr. PROSANNA DEB RAIKAT:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether he is aware of the acute distress prevailing in the district of Jalpaiguri?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether he is considering the desirability of ascertaining the causes of the same and taking remedial steps?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Government are aware that on account of low prices of jute and paddy due to the general economic depression, there is some distress in the district of Jalpaiguri, but such distress is by no means acute as compared with some of the other districts of the province.

(*b*) In the opinion of Government no special inquiry directed to find out causes of the distress in the district of Jalpaiguri is likely to yield satisfactory result, but remedial steps in consultation with local officers have been taken and Government are prepared to take such further suitable steps as may be necessary.

Sir LANCELOT TRAVERS: Will the Hon'ble Member be pleased to state whether Government are aware that the *jotedars* and *mahajans* in the district of Jalpaiguri are still selling their paddy to tea garden labourers at a price exactly double of what they got before?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am afraid, I have no information.

Mr. SHANTI SHEKHARESWAR RAY: May I inquire whether the Hon'ble Member or any other Member of the Executive Government has visited any districts to ascertain the extent of the distress prevailing?

The Hon'ble Sir PROVASH CHUNDER MITTER: No, but we are aware of the state of things, as we are in close touch with what is going on in the districts.

Maulvi HASSAN ALI: Is the Hon'ble Member aware of the economic distress in other districts in Bengal?

The Hon'ble Sir PROVASH CHUNDER MITTER: There is a resolution to that effect, and I hope I shall be able to deal with it when it comes up for discussion.

Rai Bahadur KESHAB CHANDRA BANERJI: In answer to (*a*), will Government be pleased to state which districts are worse affected?

The Hon'ble Sir PROVASH CHUNDER MITTER: As I have already said, there are resolutions on the subject, and they will be very fully discussed when they come up; the question does not arise now.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state if it is the policy of Government that no Member of the Executive Government should visit the area in which there is acute distress?

The Hon'ble Sir PROVASH CHUNDER MITTER: Not at all.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether there is any area in Bengal which any Member of the Executive Council think it necessary to visit?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have already answered; I have nothing further to add.

Unstarred Questions

(answers to which were laid on the table).

Operations of the Calcutta Improvement Trust.

32. Babu JATINDRA NATH BASU: (*a*) Has the attention of the Hon'ble Minister in charge of the Local Self-Government Department been called to the hardship caused by reason of displacement, to residents of those areas of Calcutta affected by the operations of the Calcutta Improvement Trust, particularly having regard to the economic depression now prevailing?

(*b*) Is the Hon'ble Minister aware of the growing depreciation of land values in Calcutta and the chance of a heavier burden falling on tax-payers in consequence of the recoupment by sale of surplus lands being meagre?

(*c*) Are the Government considering the desirability of suspending the operations of the Calcutta Improvement Trust in such areas where the health and traffic conditions do not show need for immediate improvement?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) No complaints have been received by the Trust. No large improvement scheme can be carried out without causing a certain amount of hardship to individuals, but the Trust does all it can to mitigate this by use of the exemption procedure and by reinstating displaced owners of residential houses on building plots in the suburbs at reduced prices.

(*b*) Government are aware that there has been a fall in land values in recent years, but a decrease in the receipts from the sale of surplus lands is likely to be offset by a decrease in the cost of acquiring land. In any case, the taxation imposed for the benefit of the Calcutta Improvement Trust is regulated by the Calcutta Improvement Act and will not be increased.

(*c*) Government do not propose to interfere with the Trust's programme of work.

Realisation of taharis in Khasmahal and Court of Wards' estates.

33. Maulvi MUHAMMAD HOSSAIN: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether there is any circular for realising *taharis* in Khasmahal and Court of Wards' estates?

(*b*) If the answer to (*a*) is in the affirmative, how much per rupee is being realised by the Tahsildars?

(*c*) If there is no circular on the subject, will the Hon'ble Member be pleased to state whether he is aware that as a matter of fact *taharis* and other illegal *abwabs* are being realised from the tenants in Khasmahal and Court of Wards' estates?

(*d*) Are the Government considering the desirability of deputing Mr. MacPherson, I.C.S. (present Secretary to the Board of Revenue), or any other I.C.S. officer to inquire about the realisation of *tahari*, specially in the Bakarganj district?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) No.

(*b*) The question does not arise.

(*c*) No. *Tahari* was collected in the Dacca Nawab estate, but it was abolished some years ago.

(*d*) No.

Distress in Faridpur.

34. Maulvi TAMIZUDDIN KHAN: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether the Government are aware of the widespread distress prevailing in the district of Faridpur?

(*b*) If the answer to (*a*) is in the affirmative, what steps, if any, do the Government intend to take for the relief of the sufferers?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Government are aware that there is some distress in parts of Faridpur.

(*b*) Government have allotted Rs. 33,000 to the district for agricultural loans in 1931-32 and will give further assistance, if necessary.

Calcutta Improvement Trust Scheme—Grey Street to Sh[illegible] Street.

35. Babu SARAT CHANDRA MITTRA: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether there is any immediate necessity, in view of the present economic depression, of proceeding with the Calcutta Improvement Trust scheme—Grey Street to Shambazar Street?

(*b*) Will the Hon'ble Minister be pleased to state whether the Improvement Trust ascertained the number of insanitary houses falling within the said scheme?

(*c*) Will the Hon'ble Minister be pleased to state whether any recognized public body or experts were consulted regarding insanitary condition of the houses?

(*d*) Will the Hon'ble Minister be pleased to state why the Improvement Trust discontinued co-opting members in the exemption committee?

(*e*) What are the rules which guide the Improvement Trust in its final decision as to the width of a proposed street?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) Land acquisition is now proceeding and the scheme cannot be stopped, nor do Government consider that there are any reasons for stopping it.

(*b*) No. There was no necessity for doing so, as the scheme is a street scheme and not a general improvement scheme.

(*c*) In view of the answer to (*b*), this question does not arise.

(*d*) The Board has no exemption committee. If the question refers to the objection committee appointed by the Board to hear objections to a scheme, the Board has not discontinued the practice of appointing associated members.

(*e*) There are no rules on the subject. In coming to a decision the Trust is guided by various considerations, such, for instance, as the volume of the traffic which the proposed street is likely to carry, the nature of the traffic and the question whether tramway lines will be laid on it or not.

Resolutions of All-India Library Conference.

36. MUNINDRA DEB RAI MAHASAI: With reference to the reply to clause (*a*) of unstarred question No. 74, on the 2nd March, 1931, will the Hon'ble Minister in charge of the Education Department be pleased to state what action he has taken on the resolutions of the All-India Library Conference?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: A copy of letter No. 545 Mis., dated 27th March, 1929, to the Additional Secretary, All-India Library Association, showing the action taken on the resolutions of the All-India Library Conference held in 1928, is laid on the table. Government subsequently decided not to take any action on resolutions Nos. 7 and 8.

Copy of the letter referred to in the answer to unstarred question No. 36.

No. 545 Misc., dated Calcutta, the 27th March, 1929.

From—B. B. Sarkar, Esq., M.A., Assistant Secretary to the Government of Bengal, Education Department,

To—The Additional Secretary, All-India Library Association, 7, Rajendra Dutt Lane, Bowbazar, Calcutta.

Minister-in-charge: The Hon'ble Mr. K. Nazimuddin, C.I.E.

I am directed to acknowledge the receipt of your letters noted below, forwarding copies of the resolutions passed at the sixth session of the All-India Library Conference held in December, 1928, at the Senate Hall, Calcutta:—

Letters, dated the 15th January, 1929, and 29th January, 1929, addressed to the Hon'ble Minister in charge of the Education Department, Government of Bengal.

Letters, dated the 15th January, 1929, and 29th January, 1929, addressed to the Hon'ble Minister in charge of the Local Self-Government Department, Government of Bengal.

Letter, dated the 28th January, 1929, addressed to the Chief Secretary to the Government of Bengal.

2. Of the resolutions forwarded with your letter, dated the 29th January, 1929, to the Hon'ble Minister in charge of the Education Department, resolutions Nos. 1, 2, and 6 have been noted. Resolutions 3 and 5 concern the Universities. As regards resolution No. 4, it is the present policy of Government to supply Government publications free of charge to libraries when their applications are supported by the local officers. Government will continue to consider each application for the free supply of official publications to libraries on its own merits, in accordance with this policy. Resolutions 7 and 8 concern the Political Department of this Government and copies of these resolutions have been forwarded to that department for necessary action.

3. Resolution No. 3 forwarded with your letter of the 28th January, 1929, to the Chief Secretary to this Government concerns the local bodies, and no action on the part of Government is called for.

Waiting accommodation for females in the subdivisional criminal courts and registration offices.

37. **Babu SUK LAL NAG:** Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether it is in the contemplation of Government to provide waiting accommodation with a latrine attached for the litigant public, especially for females, in the subdivisional criminal courts and registration offices?

The Hon'ble Sir PROVASH CHUNDER MITTER: No.

Mr. MUKUNDA BEHARY MULLICK: Does the Hon'ble Member think that accommodation like this is not at all necessary?

The Hon'ble Sir PROVASH CHUNDER MITTER: It may be necessary, but I think compared with other more important problems and in view of the financial stringency, this scheme can very well wait.

Mr. MUKUNDA BEHARY MULLICK: Is the Hon'ble Member aware that sheds are erected in some of subdivisional criminal courts and registration offices for the use of females?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes, in some places, they are.

Authorising district boards to grant monopolies to parties to ply hired carriages, etc.

38. **Babu SUK LAL NAG:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether Government are considering the desirability of authorising district boards to grant monopolies to parties to ply hired carriages, etc., allowing liberties to private cars, etc., for a limited period, on condition they metal and improve the lines concerned and make necessary repairs at their expense?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: No. The question was discussed at the Conference of Chairmen of District Boards in Darjeeling in October last, but the Conference was not unanimous on the subject. Moreover, as will be seen from letters No. 85-T.—L.S.-G., dated the 21st April, 1926, and No. 121-T.—L.S.-G., dated the 27th April, 1926, from the Secretary, Local Self-Government Department, copies of which are appended, Government are advised that such monopolies cannot be legally established.

Letters referred to in the answer to unstarred question No. 38.

No. 85-T.—L.S.-G., dated Darjeeling, the 21st April, 1926.

From—J. G. Drummond, Esq., M.A., I.C.S., Secretary to the Government of Bengal, Local Self-Government Department (offg.),

To—The Commissioner of the Dacca Division.

I am directed to refer to your memorandum No. 1286 J., dated the 12th March, 1926, submitting a letter No. 4026 G., dated the 20th February, 1926, from the Chairman of the Dacca district board, regarding the legality of granting a monopoly to a private company to run motor vehicles on the Mirpur Road. There is nothing in the Indian Motor Vehicles Act, 1914, or in the rules framed under that Act by the Government of Bengal, permitting the grant of a monopoly, and Government are advised that no rules could be framed under the Act providing for a monopoly of the kind proposed. It is possible that a bye-law might be framed under section 139 of the Local Self-Government Act having the desired effect, and this point will be further examined.

No. 121-T.—L.S.-G., dated Darjeeling, the 27th April, 1926.

From—J. G. Drummond, Esq., M.A., I.C.S., Secretary to the Government of Bengal, Local Self-Government Department (offg.),

To—The Commissioner of the Dacca Division.

In continuation of my No. 85-T.—L.S.-G., dated the 21st April, 1926, regarding the legality of granting a monopoly to a private company to run motor vehicles on the Mirpur Road in the Dacca district, I am directed to say that Government are advised that such a monopoly cannot be given. The district board can only restrict the use of its roads by certain classes of vehicles by making a bye-law, subject to the Commissioner's confirmation under section 139 of the Local Self-Government Act. Government are also advised that a bye-law giving permission to one owner of motor vehicles to use a certain road and refusing permission to another owner to ply vehicles along the same road could not be described as a bye-law made for carrying out all or any of the purposes of the Local Self-Government Act.

Plying of motor buses via Jessore Road to Rajarhat-Bishnupur.

39. Babu PROFULLA KUMAR GUHA: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state why the motor buses which had been plying *via* Jessore Road to Rajarhat-Bishnupur under the police-station Rajarhat in the 24-Parganas were stopped?

(*b*) Is it a fact that the public made petitions to the District Magistrate to restore the same?

(*c*) Are the Government considering the desirability of allowing the service at an early date?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) The motor service referred to was stopped because the owners of the buses had not received the permission of the District Magistrate to ply on that route, as required by the Mufassal Motor Vehicles Rules. Both the district board of 24-Parganas and the Public Works Department, who maintained the roads along the route, objected to the plying of buses over these roads on the ground that they were not fit for such traffic.

(*b*) Yes.

(*c*) No.

"No parking areas" in Dharamtala Street.

40. Maulvi MUHAMMAD SOLAIMAN: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether there are statutory Rules and Regulations under which certain areas of public thoroughfares in Calcutta are marked by the Traffic Department of Calcutta Police as "No parking areas"?

(*b*) Will the Hon'ble Member be pleased to state whether areas so marked as "No parking" are fixed under the following considerations:—

(*1*) Traffic;

(*2*) Business; and

(*3*) General public's convenience?

(*c*) Will the Hon'ble Member be pleased to state what considerations have led the authorities to mark Dharamtala Street from the Esplanade Junction to the Wellington and Wellesley Street junctions as "No parking" area on both sides of the street solidly?

(*d*) Is the Hon'ble Member aware that it has added to the inconvenience of the general public going for business in that street and also for shopkeepers and has also involved them in loss in trade of which complaints have been made to the authorities?

(*e*) Is it a fact that those who drive their cars personally feel the brunt of this order most as they have to leave their cars unguarded far off from the place where generally they make purchases and do other dealings in business?

(*f*) Is the Hon'ble Member aware that the bye-lanes allotted for parking in that area are not sufficient for the purpose and, when Free School Street is also a "No parking street," the congestion is apt to cause much more inconvenience to those who make their cars stand?

(*g*) Are the Government considering the desirability of withdrawing the "No parking" limits from at least one side of Dharamtala Street and thereby giving relief to the public and trade?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) Yes. Such rules are made under section 62 (*1*) (*b*) and (*c*) of the Calcutta Police Act (Bengal Act IV of 1866).

(*b*) Yes. Before any such rule is brought into force, it is published in the *Calcutta Gazette* for public criticism, and all criticisms or suggestions received are carefully considered before the rule is finally approved by Government.

(*c*) Dharamtala Street, which is very narrow in parts, is an important thoroughfare connecting Sealdah Railway Station and the south-east suburbs with Central and Southern Calcutta. It also connects numerous tramway and omnibus termini. If parking were allowed, traffic would be seriously congested, the risk of accidents increased, and the value of the street as one of the arteries of the city considerably diminished.

(*d*) and (*e*) It has no doubt caused inconvenience to some persons, but their interests must be regarded as subordinate to those of the community at large.

(*f*) and (*g*) No.

Maulvi ABUL KASEM: Is the Hon'ble Member aware that Dharamtala Street is not only a thoroughfare connecting Sealdah Station and the south-east suburbs with central Calcutta, but is also a business quarter where people have to go to make their purchases?

The Hon'ble Mr. W. D. R. PRENTICE: It is a thoroughfare and it is a business quarter.

Maulvi ABUL KASEM: Is the Hon'ble Member aware Bow Bazar Street and Corporation Street are narrower streets than Dharamtala Street, yet they are used as parking places.

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice. I think that it is only in one portion of Dharamtala, the western end, that parking is not allowed.

Babu SATYENDRA NATH ROY: Is the Hon'ble Member aware that a petition was sent by merchants in Chandney to allow the Police to park vehicles on one side of Dharamtala?

The Hon'ble Mr. W. D. R. PRENTICE: Yes, but we were unable to accept it.

Maulvi SYED JALALUDDIN HASHEMY: In order to facilitate business at Whiteaways, is it a fact that parking is permitted in some portions of the Corporation Street?

The Hon'ble Mr. W. D. R. PRENTICE: I cannot say. I must ask for notice.

3-15 p.m.

GOVERNMENT BUSINESS.

Legislative Business.

Government Bills.

The Bengal State Aid to Industries Bill, 1931.

The discussion on the above Bill was then resumed.

Mr. SYAMAPROSAD MOOKERJEE: I should like to say a few words in support of the amendment which has been moved by my friend Dr. Sen Gupta. Sir, I must say at the outset that certain remarks which fell from my friend Mr. Weston when he was opposing the amendment on behalf of the Ministry yesterday were undoubtedly of an amazing character. One of the proposals is that among the members of the Board which will be created there should be one representative of the Calcutta University. That is being opposed by Government. Sir, I would support such a proposal not merely on the general principle that a University which is entrusted with the task of training thousands of young men————

Maulvi ABUL KASEM: Examining.

Mr. SYAMAPROSAD MOOKERJEE: Examining and training such a large number of young men of the Province should have something to do with a Board which is to be created for the purpose of helping to a certain extent the solution of the burning problem of unemployment in this Province. But to-day I am not even laying so much

stress on this general principle but I am relying entirely on a special ground. And the special ground, Sir, is that the University maintains two departments—apparently the existence of which is not known very well to my friend Mr. Weston, the Director of Industries, Bengal—it maintains two departments which deal specially with applied science and have done splendid work during the last few years they have been in existence. Sir, a reference was made yesterday to the University College of Science. Many members of the House are perhaps aware that about 10 years ago the University was enabled to open two additional departments in the college—one of Applied Chemistry and one of Applied Physics—thanks to the munificence not of Government but one of the distinguished sons of Bengal, the late Sir Rash Behari Ghose. We maintain in these two departments two of our most distinguished professors. In the Department of Applied Physics we have Professor P. N. Ghosh, and in the Department of Applied Chemistry we have Professor H. K. Sen whose name is perhaps familiar even to Mr. Weston. They are not only distinguished graduates of our University but after their appointment here we sent them abroad and they undertook special training in factories and laboratories of world-wide reputation in the Continent and in England. Since their return they have been doing work in this department which I would crave the indulgence of this House to refer to, not in detail, but just in brief outline, so that the House may know that the remark which Mr. Weston made in this House that the Calcutta University had done nothing to deserve the proposed representation was totally unfounded.

Sir, in these two departments we have a number of Bengali students working under the guidance of these professors and other lecturers who also have been given special training in their subjects I was going through a note which was submitted (I am just saying this by way of illustration) by an officer of the Education Department, Mr. MacDonald, the Principal of the Bengal Engineering College and a member of the University as well. Mr. MacDonald visited the Applied Physics Department last year and he was so much impressed with the quality of the work which was being done there in the sphere of Electric Engineering that he submitted a proposal that the students of the Bengal Engineering College who were studying electrical engineering at Sibpore should be given facilities to come to the University Science College and obtain their special higher training in the University laboratory. This is just by way of illustration which would go to show that we do maintain a well-equipped laboratory which has been highly spoken of even by members of the Government departments, competent to speak on the subject.

Now, Sir, amongst the various problems which have been taken up from time to time by the members of this department and have been worked out in the laboratories of the Science College are some vital

problems which have a direct connection with the industries of the Province. Let me just enumerate some. Let me give the first choice to the manufacture of electric fans. The Clyde fan—which is perhaps not unfamiliar to many members of this House—is the first electric fan which was designed in Bengal, if not in India. Will Mr. Weston be surprised to hear that it was actually designed in the laboratory of the Applied Physics Department of the University College of Science and if he is good enough to pay us a visit, he will find that even to-day the first fan which was manufactured is still running in the room of the Applied Physics Department. Among the other problems which they have taken up are, I find, the manufacture of telephones; of dry cells for torch; storage cells for automobiles; designs for suitable lamps for street illumination and suitable engines for use of vegetable oil as fuel. Let me repeat, Sir, all this work is being done by Indian professors in collaboration with Indian students in the Applied Physics laboratory of our college.

If you turn to the Department of Applied Chemistry for a moment, you will be struck by the activities of Professor Sen whose enthusiasm knows no bounds. You will find the department is working or has worked on diverse problems, such as, manufacture of paints and pigments, manufacture of alkaloids, of drugs and of rectified spirit, of glass and enamel manufacture, introduction of oil-firing in glass manufacture, pasteboards and cardboards, soaps, oil and perfumery. I am just giving at random some illustrations of the nature of the problems that are being tackled in our laboratories.

Our men are not simply satisfied with working theoretically on these problems but they have brought themselves into intimate touch with the existing industrial concerns themselves. If you refer to various concerns which have taken advantage of the results of the investigations or of the services of our students trained specially in our laboratories, you will find the following among others: The Napier Paint Works; the Colonial Quinine Company, which is one of the few non-British companies manufacturing quinine in this country; the Union Distillery; Dr. K. C. Bose's Laboratory, Ltd.; the Great Eastern Glass Works at Tangra; the Sur Enamel Works, which is being conducted by one of our own ex-students; the Cardboard Factory at Dum Dum and others too numerous to mention.

I have given these illustrations in order to show the nature of the work which is being done in the Science College. The services rendered by the members of these departments have been generously recognised by the industrial concerns themselves. I shall give you another illustration which you will no doubt appreciate. Only the other day our professor of Applied Physics, Dr. P. N. Ghosh, was asked by the Calcutta Electric Supply Corporation to examine certain

matters in respect of street lighting in Calcutta. The report he submitted was so satisfactory that the Calcutta Electric Supply Corporation sent to the professor a cheque and the professor, be it said to his credit, did not pocket this amount but made it over to the University. This is the spirit in which work is being done by the professors in our University.

Turning just for a moment to the students whom we have produced, I find that so far as Applied Physics is concerned (the first examination was held only three years ago) there have been eight M.Sc.'s. Out of these eight, seven are already employed. They have either started their own business or are employed in some industrial concern or other. The eighth one is doing higher research work under his own professor in the University. Turning to the products of the Applied Chemistry Department, out of about 90 M.Sc.'s produced, 75 are employed, either by starting some business themselves or in some recognised concerns which are utilising their expert skill and knowledge. Their services have been availed of by various departments of Government, in different parts of the country. The list would prove interesting. We find our students working as experts in the Customs laboratories in Calcutta, Bombay, Madras and Karachi. We find them in the Public Health Laboratory in Calcutta, in the Government Stationery office, in the Alipur Test House; we find them employed in the Science Department at Jubbulpore, in the Explosives Research Institution at Rawalpindi, and last but not the least, we find one of the M.Sc.'s recently appointed Inspector in the Explosives Department under the Government of Bengal.

I do not know whether my friend Mr. Weston knows about the activities of the departments of Applied Science, which I have briefly reviewed to-day. Perhaps he was rather in a light mood yesterday—all that he said about the Calcutta University or rather all that he seemed to know of the Calcutta University was that it had often a heavy agenda of business with as many as 450 items. Sir, if such a remark had been made as a sort of after-dinner speech, perhaps it would have won him cheap applause. But if he makes a statement like this seriously in this House, I am afraid it will only disclose his colossal ignorance about the University affairs. It is a matter of great disappointment and regret that our expert officer, the Director of Industries, has never visited the College of Science and knows nothing about what we are doing for the promotion of industries in Bengal.

Mr. A. T. WESTON: I visited it on two occasions.

Mr. SYAMAPROSAD MOOKERJEE: I do not think he has visited the departments of Applied Chemistry and Applied Physics.

My friend does not contradict me and it is clear that he has never visited the Applied Physics and Applied Chemistry Departments which we have been discussing to-day. I think I have given sufficient materials to convince any popular Minister that he should accept this amendment. It would do no harm to any one. It would advance the best interests of the Province.

Sir, there is just one other matter. The amendment says that one member may be nominated by the University. I think it should be made clear, and the amendment should be so worded that the member nominated by the University must be an expert. We do not want a non-expert to be nominated by the University.

Mr. A. T. WESTON: Sir, may I rise on a point of personal explanation? May I ask the House to believe that when I referred to the Calcutta University I did not mean anything derogatory to or unkind of the University. I did say that we do want a Board of experts to guide the Government in the Department of Industries. This Board will be available for aiding the starting of new industries for the employment of young men.

Babu JITENDRALAL BANNERJEE: Sir, may I interpose very briefly in order to refer to the astounding logicality of some portions of Mr. A. T. Weston's speech yesterday? Mr. Weston had been put up to object, and he objected with a vengeance—no matter what the worth or value of his objections might be. His objection to the representation of the Calcutta University seemed to be on the ground that the Calcutta University was too unwieldy, as if the unwieldiness of the University could communicate itself in some mysterious way to their representative on this precious Board. He objected to the representation of the National Council of Education, because it was so very small. Well, Sir, in the light of these objections it would appear that the Calcutta University cannot send any representative because it is too big and the National Council of Education cannot send any representative because it is too small. If that is the kind of logic with which we are confronted, if that is the wisdom that is doled out by our well-paid experts, then all I can say is that Heaven save us from the *expertise* of these experts!

Dr. NARESH CHANDRA SEN GUPTA: Sir, having regard to the statement of my friend Mr. Mookerjee, may I have leave of the House to amend the amendment so as to have one "expert" elected by the University of Calcutta and one "expert" elected by the National Council of Education?

Mr. PRESIDENT: I am afraid I cannot allow you to do so. It was suggested yesterday, and I accepted that suggestion, that this

particular amendment should be divided into two parts: the first part consisting of (*h*) and (*i*) and the second part the proviso. I shall now put the first part, viz., (*h*) and (*i*) of the amendment.

The first part of Dr. Naresh Chandra Sen Gupta was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Baksh, Maulvi Shaik Rahim.
Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Bural, Babu Gokul Chand.
Chaudhuri, Babu Kishori Mohan.
Choudhury, Maulvi Nural Absar.
Das, Rai Bahadur Kamini Kumar.
Dutt, Rai Bahadur Gr. Haridhan.
Goenka, Rai Bahadur Badridas.
Guha, Babu Profulla Kumar.
Guha, Mr. P. N.
Gupta, Mr. J. N.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Kasem, Maulvi Abul.
Law, Mr. Surendra Nath.
Luke, Mr. N. R.
Maiti, Mr. R.
Miller, Mr. C. C.
Mookerjee, Mr. Syamaprasad.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Nag, Babu Suk Lal.
Nag, Reverend B. A.
Poddar, Mr. Ananda Mohan.
Poddar, Seth Hunuman Prosad.
Rai Mahasai, Munindra Deb.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Hoseni.
Roy, Babu Satyendra Nath.
Roy, Mr. Sarat Kumar.
Roy Choudhuri, Babu Hem Chandra.
Samad, Maulvi Abdus.
Sen, Rai Sahib Akshoy Kumar.
Sen Gupta, Dr. Naresh Chandra.
Singh, Srijut Taj Bahadur.
Sircar, Dr. Sir Nilratan.
Solaiman, Maulvi Muhammad.
Stronach, Mr. K. P. G.
Sumner, Mr. C. R.
Wordsworth, Mr. W. C.

NOES.

Armstrong, Mr. W. L.
Baksh, Maulvi Syed Majid.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Barma, Rai Sahib Panchanan.
Basir Uddin, Maulvi Mohammed.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Choudhury, Haji Badi Ahmed.
Choudhury, Maulvi Abdul Ghani.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Das, Babu Satyendra Kumar.
Dash, Mr. A. J.
Ganerji, Maulvi Nur Rahman Khan.
Faroqui, the Hon'ble Khan Bahadur K. G. M.
Fawcus, Mr. L. R.
Ganguli, Rai Bahadur Sunil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Gurner, Mr. C. W.
Hakim, Maulvi Abdul.
Hossain, Maulvi Muhammad.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Amin-ur-Zaman.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Lal Muhammed, Haji.
Macalister, Mr. A. S.
Marr, the Hon'ble Mr. A.
Mitter, Mr. S. C.
Mitter, the Hon'ble Sir Provash Chunder.
Mullick, Mr. Mukunda Behary.
Momin, Khan Bahadur Muhammad Abdul.
Nazimuddin, the Hon'ble Mr. Khwaja.
Nelson, Mr. J. W.
Norton, Mr. H. R.
Philpot, Mr. H. G. V.
Prentice, the Hon'ble Mr. W. D. R.
Rahman, Maulvi Azizur.

Rahman, Mr. A. F. M. Abdur-
Ray, Babu Amulyadhan.
Ray, Babu Nagendra Narayan.
Reid, Mr. R. N.
Roy, the Hon'ble Mr. Bijay Prasad Singh.
Sarkar, Sir Jadunath.
Sarkar, Rai Sahib Rohati Mohan.
Shah, Maulvi Abdul Hamid.
Travers, Sir Lancelot.
Weston, Mr. A. T.

The Ayes being 46 and the Noes 57, the following motion was lost:—

"That after clause 3 (*l*) (*g*) the following shall be inserted, namely:—

"(*h*) One member elected by the University of Calcutta in the manner prescribed.

(*i*) One member elected by the National Council of Education, Bengal, in the manner prescribed:"

Mr. P. N. GUHA: May I know, Sir, on which side the *ex*-Vice-Chancellor of the Calcutta University voted?

Mr. PRESIDENT: That is more than what I can say.

The second part of motion of Dr. Naresh Chandra Sen Gupta was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Baksh, Maulvi Shaik Rahim.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Maulvi Nurul Absar.
Chowdhury, Haji Badi Ahmed.
Chowdhury, Maulvi Abdul Ghani.
Das, Rai Bahadur Kamini Kumar.
Dutt, Rai Bahadur Dr. Naridhan.
Eusufji, Maulvi Hur Rahman Khan.
Goenka, Rai Bahadur Badridas.
Guha, Babu Profulla Kumar.
Guha, Mr. P. N.
Gupta, Mr. J. N.
Hakim, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Hossain, Maulvi Muhammad.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Lal Muhammed, Haji.
Law, Mr. Surendra Nath.
Maiti, Mr. R.
Miller, Mr. C. C.
Mookerjee, Mr. Syamaprasad.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Momin, Khan Bahadur Muhammad Abdul.
Norton, Mr. H. R.
Poddar, Mr. Ananda Mohan.
Poddar, Seth Hunuman Prosad.
Rahman, Mr. A. F. M. Abdur-
Rai Mahasai, Munindra Deb.
Ray, Babu Amulyadhan.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Hoseni.
Ray, Babu Satyendra Nath.
Ray, Mr. Sarat Kumar.
Ray Choudhuri, Babu Hem Chandra.
Samad, Maulvi Abdus.
Sen, Rai Sahib Akshoy Kumar.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.
Singh, Srijut Taj Bahadur.
Sircar, Dr. Sir Nilratan.
Sulaiman, Maulvi Muhammad.

NOES.

Armstrong, Mr. W. L.
Austin, Mr. J. M.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Barma, Rai Sahib Panchanan.
Basir Uddin, Maulvi Mohammed.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Burai, Babu Gokul Chand.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Das, Babu Satyendra Kumar.
Dash, Mr. A. J.
Faroqui, the Hon'ble Khan Bahadur K. G. M.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Susil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Gurner, Mr. C. W.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Maulvi Amin-ur-Zaman.
Khan, Mr. Razaur Rahman.
Luke, Mr. N. R.
Macalister, Mr. A. S.
Marr, the Hon'ble Mr. A.
Mitter, Mr. S. C.
Mitter, the Hon'ble Sir Provash Chunder.
Mullick, Mr. Mukunda Behary.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Nelson, Mr. J. W.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. G. R.
Rahman, Maulvi Azizur.
Ray, Babu Nagendra Narayan.
Reid, Mr. R. N.
Roy, Mr. Saileswar Singh.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Stronach, Mr. K. P. G.
Sumner, Mr. C. R.
Travers, Sir Lancelot.
Westan, Mr. A. T.
Wordsworth, Mr. W. C.

The Ayes being 56 and the Noes 51 the following motion was carried:—

"That after clause 3(*1*) (*g*) the following proviso shall be inserted, namely:—

'Provided that the Board shall have power to co-opt for the discussion of any particular question before it not more than three members specially qualified to advise on the matter in question or having special knowledge of local conditions in the area where the industry in question is situate.' "

3-45 p.m.

The following motion was called but not moved:—

Maulvi TAMIZUDDIN KHAN to move that to clause 3 (*1*) the following shall be added, namely:—

"(*h*) One member to be elected in the prescribed manner by the Calcutta Corporation."

Mr. ANANDA MOHAN PODDAR: I beg to move by way of amendment that after clause 3 (*1*) (*g*) the words "one member to be elected in the prescribed manner by the Bengal Mahajan Sabha" be inserted.

Sir, this Bill is intended to obtain statutory power to enable State aid to be given mainly for the purpose of encouraging cottage industries and industries generally on a small scale. This is a move in the

right direction. Clause 3 of the Bill provides for the constitution of the Board of Industries which will practically control the policy and work out the details of State aid to the industrial concerns according to the provisions of this Bill. So it is of primary importance that the Board should be a thoroughly representative one.

Sir, four seats have been allotted to four mercantile associations of Calcutta but strange to say that a premier mercantile and trades association, I mean the Bengal Mahajan Sabha, has been totally ignored. The *mahajans* are the non-official bankers of Bengal, they are also responsible for the major portion of the wholesale and retail commercial business throughout the Province.

The Bill is more concerned with the cottage and small industries in the rural areas; it is quite proper that the rural areas should have adequate representation on the Board. The Bengal *mahajans*, who are carrying on business throughout the length and breadth of the Province, are in a better way connected with the rural areas of Bengal. They are also interested in the development of cottage and small industries. I think, a representative of this association will be of greater help than those of the Calcutta associations, for the furtherance of the object of this Bill. So I earnestly request the House to support my amendment.

Babu SATYENDRA KUMAR DAS: Sir, I am in full accord with what has been urged by my friend Mr. Poddar. The associations which have been represented have got very little connection with the mufassal nor are they in touch with rural areas of the Province. The Bill has sought to grant aid to cottage industries and the like which are all usually located in mufassal. The Bengal Mahajan Sabha is the only association which is in touch with the mufassal people; not only its members are merchants in the urban and rural areas of Bengal, but they are the private bankers of the Province in the interior. It is a matter of deep regret that the Government have not thought it proper to take one of its representatives on the Board. With these words I fully support the amendment moved by Mr. Poddar.

Mr. A. T. WESTON: I am sure the House will appreciate the fact that the question of the constitution of this Board and the representation of commercial experts whom we want to constitute this Board is a matter of some delicacy, and difficulty. I am authorised by the Hon'ble Minister to say to the mover of the amendment that Government have retained for themselves the power to nominate two members on their own responsibility on this Board from the non-official element. I have been asked by the Hon'ble Minister to say that he will be glad to consider, on the grounds put forward by the mover of the amendment, any claim from his community and if that claim is sound it will

no doubt be given all possible consideration. In view of this assurance I hope the mover will not press his amendment and I would ask him to withdraw it.

Mr. ANANDA MOHAN PODDAR: In view of the statement made by Mr. Weston I beg to withdraw my amendment with the leave of the House.

The motion of Mr. Ananda Mohan Poddar was then, by leave of the Council, withdrawn.

Babu KISHORI MOHAN CHAUDHURI: I beg to move that after clause 3 (*I*) (*g*) the following be inserted, namely:—

"(*h*) the Director."

This is a Board mainly of experts and the Director of Industries is also an expert. That is why, Sir, I have suggested that the Director also should be on the Board.

The Hon'ble Khan Bahadur K. C. M. FAROQUI: Sir, I accept the amendment.

The motion of Babu Kishori Mohan Chaudhuri was then put and agreed to.

Mr. PRESIDENT: The question is that clause 3, as amended by the Council, stand part of the Bill.

The motion was put and agreed to.

Clauses 4 to 7.

Mr. PRESIDENT: The question is that clauses 4 to 7 stand part of the Bill.

The motion was put and agreed to.

Clause 8.

Mr. NARENDRA KUMAR BASU: I beg to move that in clause 8 (*I*), line 1, after the words "the local Government may" the words "on the recommendation of the Board" be substituted.

Sir, the House will have seen that under clause 5 the Board may from time to time elect two of its members to be Chairman and Vice-Chairman. So, I think, when the Chairman or Vice-Chairman is removed the local Government ought to have the opinion of the Board in that matter. I, therefore, move my amendment.

Mr. L. R. FAWCUS: Sir, I beg to oppose this amendment on the simple ground that its acceptance will put the members of the Board

in a very invidious position if they are saddled with the onus of moving the Government to take action against the colleagues with whom they have worked for years. If I were a member of the Board, I would certainly not like that position; and I can hardly conceive of the Board itself desiring to be vested with this uncomfortable power. If the mover of the amendment agrees with me he will perhaps consent to withdraw his amendment. If not, I beg to oppose it.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I have to oppose this amendment. I am afraid the best lawyer has not seen the absolute illogicality of his argument. He wants the consent of the Board. After all I can understand a proposal that there should be no such provision as regards removal of Chairman or Vice-Chairman. Once we give that power it stands absolutely logical that we should have the consent of the Board in whom the power is to be vested. I hope, therefore, that he will see the illogicality of the amendment and withdraw it.

The motion of Mr. Narendra Kumar Basu was then put and lost.

Mr. PRESIDENT: The question is that clause 8 stand part of the Bill.

The motion was put agreed to.

Clause 9.

Mr. PRESIDENT: The question is that clause 9 stand part of the Bill.

The motion was put and agreed to.

Clause 10.

Mr. NARENDRA KUMAR BASU: I beg to move that at the end of clause 10 the following be added, namely:—

"Such allowances and fees shall be paid from funds placed at the disposal of the Board by the local Government."

Sir, as the House will have seen, under the Bill no funds are allocated to the Board as such. I have, therefore, proposed in this amendment that such allowances and fees as are payable to members and staff of the Board, be paid from funds placed at the disposal of the Board.

Mr. L. R. FAWCUS: Sir, I beg to oppose the amendment simply on the ground that it is both redundant and premature. In clause 31, sub-section (2) (*b*), it is clearly laid down that the local Government

shall have power to make rules for the payment of travelling and daily allowances referred to in clause 10 of the Act, and the conditions of such payment. When these rules are framed, the first consideration will no doubt be the source from which these payments will be made; but until they are framed there is no need whatever and indeed it would be dangerous to tie the hands of Government by a statutory provision on the subject of finance. I, therefore, beg to oppose the amendment.

The motion of Mr. Narendra Kumar Basu was then put and lost.

Mr. PRESIDENT: The question is that clause 10 stand part of the Bill.

The motion was put and agreed to.

Clauses 11 to 15.

Mr. PRESIDENT: The question is that clauses 11 to 15 stand part of the Bill.

The motion was put and agreed to.

Clause 16.

The following amendment was called but not moved:—

Babu KISHORI MOHAN CHAUDHURI to move that for clause 16 the following be substituted, namely:—

"16. It shall be the duty of the Board to receive applications for State aid to industries from owners of such industries and after such inquiries as may be required by this Act or as it deems necessary, to report and make such recommendations as it thinks fit upon such applications; and it shall also be the duty of the Board to advise the local Government from time to time upon any other matter referred to it by the said Government."

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that in clause 16, line 4, after the words "applications for State aid" the following shall be inserted, namely:—

"to frame complete schemes and programmes for such State action as the Board considers necessary for the steady and progressive development of industries for the consideration of the Local Government."

Sir, the section as it stands provides for two things, viz., that it shall be the duty of the Board to receive, and after inquiry to report to the local Government upon, applications for State aid and to advise the local Government on any other that may be referred to it. The addition which I propose in my amendment gives another power to

the Board, namely, to frame such schemes as it considers necessary for the purpose of developing industries in the Province. I am more or less thankful to the Hon'ble Minister for the small mercy of introducing the Bill for giving State aid to industries. If the provisions of the Bill are followed by earnest action, it would be possible to do much good in developing industries in the Province. But I must say that considering the great needs of the country the little that the Bill can do is very little indeed. I do not want to commit the Government to do anything more than that the Board, which would be an expert body constituted for the purpose of discussing industrial matters if it thinks fit, may frame a programme of action of a more ambitious character for the consideration of the Government of Bengal. I have addressed this Council more than once on the need of some imagination, on the need of the programme for the improvement without which by proceeding in a happy-go-lucky way and living a hand-to-mouth existence and dealing with problems as they come in, we shall not make any headway. We must remember that even at the present moment the rest of the world is making progress, not in this happy-go-lucky way but with an earnestness and organisation it has been working wonders in developing the economic sources of every land. In the midst of all this activity of the world we cannot afford to wait till the opportunity passes our hands. We have to direct our attention to the problem on a large scale. A programme for achieving great results may take a long time, say 20, 30 or even 50 years. There can be no doubt that if we start to-day with a bit of work with a definite objective set before ourselves and a detailed programme, we may achieve a great deal more than we can if we merely deal with a matter when it comes to our hand. If there was any doubt as to what could be achieved by a definite programme and a determined effort, it could be seen from that marvel of the modern age, the Five-Year Plan of Soviet Russia. Sir, I have before this submitted to the House what wonderful results the Soviet Government have achieved by following a definite programme. The League of Nations also has been responsible for some wonderful results in connection for instance with the settlement of Greek refugees. After the Great War, Greece was faced with an enormous economic problem—I mean by the appearance of large number (I think about a million) of repatriated refugees who were turned out of their homes in Asia Minor and elsewhere and thrown into their mother country. What can be achieved by a definite programme of work is shown by the effort made by the League of Nations for the Greek refugees. It is not necessary for me to multiply such instances. I would ask the Government of India to follow the footsteps of other nations and work steadily by programmes of work. I am not, however, asking the Government to pledge itself to do much.

All that I am asking them is to enable this Board, when it is constituted, to take a comprehensive view of the economic requirements of the Province and frame schemes only for the consideration of the Government, to be thrown after that into the wastepaper basket or some other convenient receptacle or possibly to be followed by action.

Mr. G. G. COOPER: Sir, I rise to oppose the amendment which seems to me to contain a dangerous idea. I do not believe that Government should have anything to do with the preparation of a scheme for the development of an industry. Dr. Sen Gupta suggests that Government will throw any scheme, suggested by the Department of Industries into the wastepaper basket. He may be right! I hope he is! I am perfectly certain that Government have not the time to consider such questions, as they have their hands more than full. Government have not got experts to draw up details for industrial schemes. Any one who has anything to do with the promotion of industries knows how essential it is to have details very carefully and closely examined by expert men who know their job well and Government will have to employ a staff of men to do this work. In the present financial stringency it is not possible for Government to employ such additional staff.

I therefore oppose the amendment.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I am sorry that I have again to oppose the amendment of Dr. Sen Gupta. It is not because I believe in Mr. Cooper that Government should not interfere in the matter of the development of industries, but because the very object which my friend has in view has absolutely no place in this matter. I could have understood him if he had come out with the suggestions that a clause be added to the Preamble that the object of the Bill is to frame complete schemes for the steady and progressive development of industries, for the consideration of Government. This clause is merely intended to deal with such applications as are brought before the Board for disposal and these applications are always for specific objects.

4-15 p.m.

Therefore, I submit, that so far as section 16 is concerned, it deals with petitions for ambitious help for the steady and progressive development of industries brought before the Board. I am objecting to the clause not because Government should not do it but because I do not believe that Government should dispose of these. Supposing a particular difficulty arises in some particular industry, and the applicant

wants Government to assist only so far as certain facilities for communication are concerned, as this is not the practical scheme, it could be rejected; that would be a clear ground for objection. I think that would be a loophole. On the other hand, section 16 gives all necessary powers. My friend Dr. Sen Gupta is a student of constitutional history and he knows that unless people want to take responsibility industries cannot develop in a country. After all, what is the value of such an Act? There is the executive power of the Board, and if the Board wants to take the responsibility, it is for the Board to do so, provided public opinion is with it.

Therefore I oppose the motion, not because I am not in sympathy with the objects of it, but I consider it is absolutely unnecessary. If my friend will help the whole scheme of the Act which is framed with a view to give State aid to such specific applications which come to the Board, then I do not see any harm in this section as it stands. I am perfectly well aware of the great difficulties with which the people have to contend, and I would ask my friends to accept the principle of the Bill which is framed to help the interests of the country.

Mr. NARENDRA KUMAR BASU: I rise to support this amendment, and to reply to the opposition that has been put forward by Mr. Cooper and Khan Bahadur Azizul Haque. As to Mr. Cooper, he has let the cat out of the bag. He has said that in his opinion and in that of his confreres whom he is representing, that is to say, for the foreign exploiter, it is a dangerous thing if the Government of Bengal sympathises with the children of the soil and comes to their aid. Mr. Cooper also told Government that it would be a waste of time for them to draw up schemes. Waste of time for Government to take schemes for the amelioration of the condition of the people, waste of time for the Government if it takes up any scheme for improving the lot of the unemployed in this country. It is a waste of time for the Government to do anything which runs counter to the interests of the great commercial English houses. I think, Sir, I have never heard a more monstrous objection raised in this House before the representatives of the people that Government should not do anything to help the children of the soil. I do not think that that argument will have any sympathy with any other section of the House.

As for Khan Bahadur Azizul Haque's objection, after the profuse compliments he has been paying me this afternoon, it is rather difficult for me to suggest to him that he has not read section 16 completely. The amendment would have been out of place if section 16 was what it was in the original Bill, but probably the Khan Bahadur has not read the words added to it by the Select Committee at the end.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of order, Sir. My friend completely forgets that this clause has to be added at end, not before the section.

Mr. NARENDRA KUMAR BASU: Well, my friend the Khan Bahadur has, I am afraid, again tripped in the reading of the section as drafted by the Select Committee. The Select Committee after the words defining the duty of the Board on individual application has added these words "and to advise the local Government on any other matter that may be referred to it." That I submit confidently to the House, has got nothing to do with any individual application received from any party. In fact, excepting section 16, there is no other section in this Bill which defines the duties of the Board. The Board is an advisory Board for the Government, and, as the Khan Bahadur has said, he has the greatest sympathy for the amendment, and his only objection was one of legality. I submit that if after the words "State aid" a comma should be inserted, that is, a mark of punctuation might be added, I take it that the Khan Bahadur's legal objection will have no force, if that is done.

Khan Bahadur Maulvi AZIZUL HAQUE: It might make a difference.

Mr. NARENDRA KUMAR BASU: Therefore I submit that this amendment ought to be accepted by the House with the addition of a comma.

Babu SATISH CHANDRA RAY CHOWDHURY: I support this amendment. It is absolutely harmless so far as Government is concerned. It imposes no obligation on the Government, but on the contrary it will be very useful for the Government to have this power. This particular clause will rather impose on the Board the obligation of advancing the interests of the country. The Board will be in a peculiar position having to deal with numerous applications, and they will know where real improvement is necessary and how to draw up complete schemes, the execution of which alone can set the country on the road to industrial progress. The amendment does not say Government is bound to accept all the schemes and projects that come before them. There will be experts on the Board, and all the schemes and projects which will be drawn up by the Board will be entitled to the consideration that their importance and weight demand. Therefore I submit that the Board is not simply to send up applications to Government, but to assist the Government if they are really earnest—and we hope the new Government will be really earnest—to advance the industrial interests of the country. This addition will not impose any financial obligation on the Government either. There

is no reason to object to this amendment being accepted unless it be to remove the nervousness of Mr. Cooper and unless it be that Government really wants that there shall be no help to the industries of the country. Nobody who has at heart the real and actual industrial progress and development of the country can object to this harmless amendment being accepted.

Sir LANCELOT TRAVERS: I think that every member of this Council, and certainly every member of my group, is in favour of the establishment of new industries in this Province, and I want to make quite sure that the Council understands that we do not oppose for one moment the assistance of nascent and small industries in Bengal. We desire to see more employment for the good of the *bhadralok* and the entire youth of this Province. Let me make that perfectly clear. But it seems to us that this Bill may provide for the whole of the industry of the Province, both development and progress. I can give you one illustration in my own industry, tea. It is not now developing or progressing with profit at all, and we who are engaged upon it would be really very grateful if we could receive aid from Government. Now it seems to me that this amendment would permit the Board to do it. Our point is, that in our opinion this Bill is not intended for that sort of help or aid, but rather for the establishment of new industries and for helping industries that have just started with advice and assistance, and so on. Sir, the Board is a voluntary Board, a Board of experts and of business men and they will presumably have their own living to make. How it is possible for the Board to prepare schemes of the nature proposed? In my opinion, the wording of this amendment is not acceptable. In the future the watch of established industry will be the work of the Minister; there will be in the future an all-Indian Ministry in Bengal, and one Minister will be Minister of Industries. It will be his work to aid established industries, not that of a Board.

For these reasons we oppose the amendment.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Government have considered the amendment, and I am prepared to accept it on behalf of the Government.

The following motion of Dr. Naresh Chandra Sen Gupta was then put and agreed to:—

That in clause 16, line 4, after the words "applications for State aid" the following shall be inserted, namely:—

"to frame complete schemes and programmes for such State action as the Board considers necessary for the steady and progressive development of industries, for the consideration of the local Government."

Mr. PRESIDENT: The question is that clause 16, as amended by the Council, stand part of the Bill.

The motion was put and agreed to.

Clause 17.

Mr. PRESIDENT: The question is that clause 17 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: The question is that clause 18 stand part of the Bill.

The motion was put and agreed to.

4-30 p.m.

New Clause 18A.

Rai Bahadur BADRIDAS GOENKA: I beg to move that after clause 18 the following clause be inserted, namely:—

"18A. The local Government shall create a fund to be called the 'Bengal State Aid to Industries Fund' by setting apart every year an amount not less than one lakh of rupees either from the Loan Fund or from the Revenue Account and State aid to industries shall be given out of that Fund."

I do not think I need say much to commend my amendment to the House. In the Bill, as it is framed, we are providing for a Board on whose recommendation the Department of Industries will grant State aid to industries, but the Bill makes no provision for funds out of which to grant aid to the industries. My point is this: whether we want to provide the Industries Department with a fund on which they can rely for giving State aid to industries at all times, in bad time as well as good, or whether we want to have the question of giving aid to the exigencies of the budget or the sweet will of the Finance Department. We know how the Industries Department had been starved in the past. To my mind this has been the most potent factor for the failure of dyarchy in this Province. I have no reason to believe that things will be different in the future or that the Finance Department will treat the Department of Industries more liberally in the future. We have a similar Act in the neighbouring province of Bihar and Orissa, but they have not been able to do anything for want of funds. That is another reason why I believe the creation of a fund is absolutely necessary. When trade is prospering and industries thriving the prevailing condition will provide the necessary incentive for individuals to start industries but during periods of depression when private incentive is wanting and private

capital is shy it is more than ever necessary to give State aid to industries. Unfortunately during this period of depression the finances of the Government are at a low ebb and it may not be possible for it to find money to give this much needed aid. So I think the House will agree with me that unless we have a fund out of which the industries might be helped, the Act might be of very little use.

As regards the question of the amount, I have discussed this matter with some friends who have considerable experience of industries, and they agree with me in thinking that Rs. 5 lakhs is the legitimate amount to be asked for. The idea is that any surplus out of the money provided should be allowed to accumulate. That being the purpose in view, Rs. 5 lakhs would not have been a large amount to ask; but in view of the present financial stringency I am prepared to ask for the modest sum of Rs. 1 lakh. For I think even this small sum will be better than going to the Finance Department every year for a dole. I appeal to the Minister to accept my modest amendment so that the Act when it is put into action might be given a good start.

Maulvi ABUL KASEM: I am sorry that I cannot support the amendment that has been moved by my friend on my right. My reason is that it is not always safe to burden by legislative action and earmark certain amount of money from the provincial revenues for any purpose however laudable it may be, because every year the claims of the various other needs of the Province have to be considered and adjusted. But if by legislative action a certain amount of money is earmarked for a particular purpose, Government will not be able to touch it. Sir, I think the needs of agriculture is as great as that of industry, though it may not be the fashion to say so. Besides, it has been said that without this legislative provision for a certain amount of money to be allotted, this Act will be of no use. So far as we can foresee, Sir, under the circumstances as they exist at the present moment regarding the financial position of Government (and I have no hopes for the future) because of the extravagant habits of the Government members in other departments, there will be for some time to come no money to spare and this piece of legislation will be a dead letter. But all the same I think it would be better to leave the matter to the Government. Under the changed constitution there will be enough time and enough opportunities for members of this House to force the Minister and the Government as a whole to spend a certain amount of money on deserving and desirable industries. But if a certain amount of money is set aside every year and if there are no particular industries forthcoming on which to spend the money, the money will not be disbursed and any struggling

industry, if it has sufficient energy and ability, will get State aid whether it deserves it or not. On these grounds I oppose the amendment.

Babu JATINDRA NATH BASU: I support this amendment. Maulvi Abul Kasem has referred to the needs of agriculture; but we all know that agriculture, if it is an industry, is a very old industry in this country and the resources of the country and of the agricultural population have been explored almost to the fullest extent. But with our growing population and with the raising of the standard of living in general, it is necessary that we should explore all avenues of development of other industries besides agriculture in order to come up to the level of other countries of the world. We all want that, and for that purpose it is necessary that there should be experiments, because we are now in a very early stage so far as the industrial development of our country is concerned, and no Government can ignore its responsibility to the people to find out new means of livelihood. I think a certain part of Government funds must be set apart for assisting the people who are trying to start new industries in order that the general economic condition of the people may improve. The suggestion contained in the Bill is a very wholesome one, and it is undoubtedly the responsibility of Government to come forward with a measure like this and to set apart funds for the purpose the Bill has in view. With these few words I wholeheartedly support the amendment.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, as regards Rai Badridas Goenka Bahadur's motion that a fund should be created by setting apart every year an amount not less than one lakh of rupees either from loan fund or from revenue account and State aid to industries shall be given out from that fund, I wish very much that it were possible for Government to accept this amendment. But in the present state of the provincial finance it is impossible for Government to commit themselves to any extent in this direction. But that should, as we all hope, the financial position of the Province improve, we might be in a position to consider the feasibility of giving effect to the proposal. It will, however, be realised that it will naturally be some time before this question can be considered. In the meantime the question of framing rules under the Act, settling the constitution of the Board and other similar questions may be taken up. Whenever the Bill is passed, it will take some time to settle these preliminaries. By passing the Bill now it would be possible to settle the preliminaries so that no time may be lost in taking up the question of providing funds for the purpose as soon as the financial position permits.

I trust that the Rai Bahadur will not press his motion; otherwise I must oppose it.

The motion of Rai Bahadur Badridas Goenka was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Banerji, Mr. P.
Banerji, Rai Bahadur Keshab Chandra.
Bannerjee, Babu Jitendralal.
Basu, Babu Jatindra Nath.
Bose, Mr. S. M.
Chaudhuri, Babu Kishori Mohan.
Choudhury, Maulvi Nurul Absar.
Das, Rai Bahadur Kamini Kumar.
Dutt, Rai Bahadur Dr. Haridhan.
Goenka, Rai Bahadur Badridas.
Guha, Babu Prafulla Kumar.
Guha, Mr. P. N.
Gupta, Mr. J. N.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Law, Mr. Surendra Nath.
Maiti, Mr. R.
Mookerjee, Mr. Syamaprasad.
Mukherji, Rai Bahadur Satish Chandra.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Nag, Babu Suk Lal.
Poddar, Babu Hanuman Prasad.
Rai Mahasaya Jogindra Dutt.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Reut, Babu Hoseni.
Roy, Babu Satyendra Nath.
Roy, Mr. Sarat Kumar.
Roy Choudhuri, Babu Hem Chandra.
Samad, Maulvi Abdus.
Sen, Rai Sahib Akshoy Kumar.
Sen Gupta, Dr. Naresh Chandra.
Singh, Srijut Taj Bahadur.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Sircar, Dr. Sir Nilratan.

NOES.

Ali, Maulvi Syed Nausher.
Armstrong, Mr. W. L.
Austin, Mr. J. M.
Baksh, Maulvi Shaik Rahim.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Barma, Rai Sahib Panchanan.
Basir Uddin, Maulvi Mahammed.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Burral, Babu Gokal Chand.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Khan Bahadur Maulvi Rahzur Rahman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Haji Badi Ahmed
Chowdhury, Maulvi Abdul Ghani.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. C.
Dalal, Mr. S. N.
Das, Babu Satyendra Kumar.
Dash, Mr. A. J.
Eusufji, Maulvi Nur Rahman Khan.
Faruqui, the Hon'ble Khan Bahadur K. G. M.
Fazlooli, Mr. L. R.
Ferrier, Mr. A. Chakravarti.
Ganguli, Rai Bahadur Sunil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdel-Kerim.
Gilchrist, Mr. R. N.
Gurner, Mr. C. W.
Hakim, Maulvi Abdul.
Hossain, Maulvi Muhammad.
Hussain, Maulvi Latafat.
Kasem, Maulvi Abul.
Kerr, Mr. W. J.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Amin-uz-Zaman.
Khan, Maulvi Tamiruddin.
Khan, Mr. Razaur Rahman.
Lal Muhammed, Haji.
Luke, Mr. H. R.
Macallister, Mr. A. S.
Marr, the Hon'ble Mr. A.
Miller, Mr. C. C.
Mitter, Mr. S. C.
Mitter, the Hon'ble Sir Provash Chunder.
Mullick, Mr. Mukunda Behary.
Momin, Khan Bahadur Muhammad Abdul.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Nelson, Mr. J. W.
Norton, Mr. H. R.
Philpot, Mr. R. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur-
Ray, Babu Amulyadhan.
Ray, Babu Nagendra Narayan.
Ray Chaudhuri, Mr. K. C.
Reid, Mr. R. N.
Roy, Babu Bibhuti Bhushan.
Roy, Mr. Satishwar Singh.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.

Saddiqullah, Maulvi Muhammad.
Sarkar, Sir Jadunath.
Sarkar, Rai Sahib Rebati Mohan.
Shah, Maulvi Abdul Hamid.
Sulaiman, Maulvi Muhammad.
Strandth, Mr. K. F. S.
Sumner, Mr. C. R.
Travers, Sir Lancelot.
Weston, Mr. A. T.
Wordsworth, Mr. W. C.

The Ayes being 37 and the Noes 75 the motion was lost.

[At 4-45 the Council was adjourned for prayer and it reassembled at 5 p.m.]

Clause 19.

Maulvi TAMIZUDDIN KHAN: Sir, I beg to move that in clause 19(*1*), line 2, after the words "Local Government" the words "on the recommendation of the Board" be inserted.

Many words are not necessary, Sir, to commend my amendment to the acceptance of the House. From the scheme of the Bill it seems to be clear that it was the intention of the framers of this Bill that any aid which may be given should be given on the recommendation of the Board, but somehow or other the words "on the recommendation of the Board" were left out. Therefore, it seems that this is a necessary addition, which, I hope, will not be opposed by the House.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, on behalf of Govrnment I accept the amendment.

The motion of Maulvi Tamizuddin Khan was then put and agreed to.

The following motion was not called as it was covered by the foregoing decision of the Council:—

Mr. SHANTI SHEKHARESWAR RAY to move that in clause 19 (*1*), line 2, after the word "Government" the words "with the concurrence of the Board" shall be inserted.

The following motion was called but not moved:—

Babu KISHORI MOHAN CHAUDHURI to move that in clause 19 (*1*) (*a*) in the third proviso, lines 4 and 5, the words "in exceptional cases" be omitted.

Mr. G. C. COOPER: I beg to move that clause 19(*1*) (*c*) be omitted.

Sir, in moving the amendment standing in my name I hope I shall not be accused of letting imaginary cats out of imaginary bags! My friend, Mr. Bose, has put words into my mouth which I never said much less thought! He is a lawyer!!

I wish to make it clear that as a party and as representing the Chamber of Commerce we are in sympathy with any measure which is likely, with reasonable conditions, to help cottage and small industries. We recognise the difficulty of framing, for incorporation in the Act, a limiting clause so as to ensure that assistance is restricted to what are genuinely cottage and small industries, but if no such clause can be devised it will be necessary to rely on the Board of Industries, and on the local Government, to see that the intention underlying the measure is fully observed in practice. The definition of "industry" in clause 2(*4*) is comprehensive, and reading it along with clause 20(*a*) (*ii*) it would apparently be quite open to grant State aid for the establishment and encouragement of mushroom concerns. There is, of course, the greatest possible objection to the application of public funds, under the protection of the Act, to such a case, and the selection of enterprises for assistance will have to be undertaken with considerable care to ensure that there is no expenditure of public money on objects which do not properly come within the limits contemplated by the Bill. My amendment is designed to avoid the danger of the possibility of Government being pressed to invest money in industrial undertakings, and with this in view my party are strongly of opinion that the taking of shares and debentures suggested in the proposed clause 19(*1*) (*c*) should in no circumstances be permitted as one of the forms of State aid to be given. We are in entire agreement with the note of dissent signed by Messrs. Thompson and Norton. We are opposed to State partnership in industry, and we urge that this sub-clause should be entirely omitted from the Bill.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I am privileged to return the compliment which Mr. Cooper has often paid me by opposing his amendment. I submit, Sir, that no grounds have been made out for this amendment. State aid to industries will be given by Government after mature deliberation on the advice of an Advisory Board. The form of the State aid which will be given will also be determined by Government on the advice of its own experts as well as of the Advisory Board. So there is no reason to apprehend that Government will launch upon schemes which will necessarily mean, in the words of Mr. Norton and Mr. Thompson, taking up shares at the time of issue in the case of industries which are unable to stand on their own legs. I do not think that Government will think of giving State aid to any such industry, and no Advisory Board which is worth its salt will advise the grant of State aid to any industry which it knows to be a shaky concern unable to stand on its own legs. It is only when on consideration of all the relevant circumstances the Advisory Board is satisfied that the industry will be able to stand on its own legs, that it has a good future, and that it requires assistance from the State in this particular form, it is then only that Government will give aid, if

the Advisory Board recommends. Now, Sir, I entirely disassociate myself with the opinion of Mr. Cooper that State aid should be limited only to very small industries. I would not hear of any such limitation, and I do not know upon what grounds Mr. Cooper thinks that only small industries are entitled to assistance under this Bill. There are very great, very big, industries which are receiving assistance in various ways. Mr. Cooper must be aware of the great industrial concerns of the Tatas. (Cries of "Shame, shame".) The Tatas have been receiving (Cries of "Shame, shame") enormous amount of Government assistance. Much of it, I agree, has been misapplied perhaps, but at the same time the principle upon which assistance has been given is an entirely sound principle, which had the approval of the Industrial Commission. In the case of a key-industry or of an industry which is very necessary for the life of the nation, assistance will have to be given by the State even though there may not be any immediate chance of profit from that industry. Besides, Sir, there may be industries which have to be supported in the early years of their existence in order that ultimately they may be able to make profit. We all know how many industries in the beginning had great difficulty in attracting capital to them. Well, Sir I have taken part—and there are several members in this House who have also taken part—in the enormous amount of propaganda for selling species of the Banga Luxmi Cotton Mills at a time when patriotism was running very high in this country and I remember the difficulty that we had in raising the capital.

5-15 p.m.

But at the present moment it is not necessary to start any propaganda for inviting people to subscribe to shares in the cotton mills. If the Government are satisfied that an industry has got more than a fair chance of success if it is helped through its earlier stages and if Government think that in order to attract private capital it is necessary for them to take a hand in the concern by taking shares or debentures of the company, there is absolutely no reason why Government should not do it. At any rate I have not heard any reasons given which are in the least convincing.

And then further there is one important thing to consider. Messrs. Norton and Thompson think that it is one thing for Government to lend their money to such a concern but quite another for them to become shareholders with a share of the responsibility for the management or mismanagement. There may be industries and there are industries in which it is necessary for Government to go in as shareholders and take part in its management and to have general oversight over it. While Government invest a large sum of money upon certain industries, it is necessary that Government should have some control over them and there is no reason why Government should not have it. This is

necessary most of all in the case of a pioneer industry. Government had in the past done pioneering work on its own. If you look to the history of the iron industry in India, you will find that at the earlier stages there was pioneer work done by Government. It was Government which started its own pioneer work. It was after that that it was followed by private enterprise. Having done that pioneer work and at the same time having encouraged the people to come forward to subscribe to shares and trained them in the work of management, Government may very well come forward as shareholders if they think that the concern is a sound one and that it is being worked on the right lines. It is well known that mere Government supervision gives a large amount of prestige and assurance to the public that there will not be mismanagement and the Government by going in as subscribers of shares will be giving an assurance that its affairs will be well managed and if they give this assurance it is up to them to have a hand in its management. There is no reason, therefore, why Government should not come in as shareholders.

Mr. SHANTI SHEKHARESWAR RAY: I think that this clause should be dropped. It is neither fair to Government nor to the interests, I believe, even of the private concerns that, in any shape, Government should identify itself by taking shares in that concern. As soon as Government acquire an interest in any type of concern, many difficulties are likely to arise. First of all there would be the cry———— (inaudible in the Reporters' gallery). Then at every step the activities of the concern will be hampered by the criticisms of the public on various grounds, just as we find now in the case of State-owned railways. It is one thing for Government to help an industry for the good of the country and another to take an active part in the management of any concern. And I think that every right-thinking person will agree with the view that it is neither safe nor politic on the part of Government to identify itself with the management of any industrial concern.

Mr. NARENDRA KUMAR BASU: I beg to oppose this amendment. There is one aspect of the matter which I would ask Mr. Cooper to consider. It is not as if the taking of shares and debentures in a private concern by Government is made compulsory, but it is made only permissible under this clause. Similar powers are reserved to Government to give aid in other forms if it is considered desirable or suitable. and therefore I do not see what possible objection can there be to the retention of this clause because by it power is given to Government to give aid to an industry in this form in a suitable case on the recommendation of the Board. As for the remarks of the previous speaker Mr. Ray that the appointment of Directors by Government is not desirable, I would draw the attention of the House to clause 27 of the

Bill which is coming up later. You will see that even when Government is not thinking of taking any share or debenture of a company, power is reserved to them by this Bill to appoint Directors, Inspectors or otherwise to interfere in the management of that company. In fact when Government lend money or guarantee cash credits or overdraft, even though it is not taking shares or debentures, it is necessary for Government to see that the money is not misapplied. It is only a permissive clause and in no way compulsory as being one of several powers taken by Government under other provisions of this Bill. I do not think that the retention of this clause will cause any harm. I, therefore, oppose this amendment.

Mr. J. CAMPBELL-FORRESTER: I rise to support Mr. Cooper's amendment, and in doing so, I have to point out the fact that when Government's name is associated with finance, and that finance goes into any private concern, it conveys a feeling of confidence and security, which at times is entirely misled, and heavy loss accrues. As an illustration, let me quote the case of the Co-operative Jute Concern. This was promoted with the object of assisting the raiyats. A Government official was put in charge to direct this concern, and he having influence with the banks, they allowed large overdrafts to this concern. No doubt the main reason of confidence being put was that a Government official was at the head of it. Year after year this concern showed heavy loss, and eventually sums amounting to lakhs of rupees were lost, and they closed down, and if I am correctly informed, the bank itself had difficulties to meet its obligation.

Now, Sir, a clause of this description introduced into a Bill, that is to let the Government practically become a trading concern, is a very dangerous thing. When you have business run by keen, well-trained business men with good reputations and where every effort is made for economy and good organisation, even then these individuals find it difficult to make ends meet. How much more so must it be with the Government with all its paraphernalia of red-tapeism.

I hope this dangerous clause will be rejected by the Council. I have confined myself entirely to the question of Mr. Cooper's amendment, but I hope, Sir, that I shall have an opportunity to speak on the Bill as a whole, which will have my sympathy and support.

Mr. K. C. RAY CHAUDHURI: In my opinion, Mr. Cooper's amendment is not necessary because under section 19 the local Government may grant a loan to an industry to be secured and repaid in the prescribed manner and upon such terms as may be fixed by the order granting it.

Mr. A. T. WESTON: Mr. President, Sir, I must ask the Council on behalf of the Ministry and Government to oppose this amendment. Mr. Cooper who moved it made his plea for the excision of this clause from the Bill on two grounds. One is that Government should not have anything to do with the purchase of shares or debentures of a private company, and secondly there was in his mind, if not expressed, at least a lurking fear, that in that case public money would be seriously misused. Now, Sir, I would examine Mr. Cooper's arguments seriatim. First of all let me remind the House that it is not being asked to commit itself to anything entirely new. For instance, this particular clause already occurs in the State Aid to Industries Act of the sister province of Bihar and Orissa, which has been working probably for the last four or five years. Again, the more remote province of Madras which is in some respects industrially more progressive than this Province also has this provision in its State Aid to Industries Act, which Act has been working for a longer period. The Mysore Government also have a similar provision in its Act made at the time when the Industrial Commission examined this problem and made this recommendation. So I would ask the Council to believe that it is no new startling innovation that is now to be placed upon the citizens of Bengal.

Now, Sir, Mr. Cooper has emphatically stated that any kind of association of Government with a private enterprise is not only desirable but altogether wrong. But I join issue with him there and say "nay." I am not going to take the Council through the Report of State Aid to Industries in the British Empire, the United States of America and Japan, compiled for the Government of India by Mr. A. Y. G. Campbell of the Indian Civil Service and a Member of the Government of Madras. I will only tell you, Sir, that in every progressive country the Government of the day do take an active part in the development and management of industries. There was a Development Commission appointed during the late War in the old country of England which recommended such a provision and it was in pursuance of similar objects and recommendations that the British Government invested £1,700,001 in a private concern, namely, the British Dyes, Ltd., in £1 preference shares. The British Government also invested £1,560,000 in debenture stock in the Cunard Co., a marine steamship mercantile company competing with other private concerns (and it has been paid back to Government—the whole of it). The Government of the day in England also invested £33,000 in debentures in the Munster Flax Development Company and the present British Government support Home Grown Sugar, Ltd., a company formed to develop the beet sugar industry by which the whole country has profited. The British Government undertook to subscribe a number of ordinary shares of £1 each equivalent to the number allotted to public

subscribers and not exceeding 250,000 in all. Interest at 5 per cent. for ten years was guaranteed and no interest was to be paid on the Government shares till the company was able to stand on its own legs. These examples are sufficient to dispose of any objections against any Government taking an active and progressive part in the development of an industry, if it chooses to do so in the manner made possible by clause 19(*c*) of the Bill.

Let me also draw the attention of the House to the fact that recently we have had the advantage of an analysis of the conditions in India by the Royal Commission on Agriculture. In its report the Commission say at the bottom of page 578 that Government ought to go one step further. It means that Government may not only take the lesser step of investing in preference shares in private companies or give other forms of aid, but in some instances they should make themselves responsible for running a pioneer industry, a very much larger and comprehensive commitment.

5-30 p.m.

Sir, I do not therefore, understand the objection of the mover of this amendment to this particular clause. The whole purpose of the Bill is to give power to Government to do its best to co-operate with the people of this country in trying to improve their industrial and economic condition, and to give confidence to the industrially minded public. As hon'ble member Mr. N. K. Basu has rightly said, where Government supports an industry there is certainly every possibility of greater public confidence being ensured, and, therefore, of progress. I think, Sir, I have said enough on the question of private enterprise. It is not a new innovation which is brought in by this Bill.

Let me now examine the other aspect of Mr. Cooper's amendment. Mr. Cooper is obviously concerned lest the facilities provided in this Bill may be appropriated to the bolstering up of existing badly managed or tottering industries by Government taking shares and debentures in them. That is what is stated in the notes of dissent by Mr. H. R. Norton, M.L.C., and Mr. W. H. Thompson, M.L.C., on the Select Committee's report. Sir, the mover, Mr. Cooper, is wholly mistaken in this view, and he should not have the slightest anxiety in this regard.

Sir, let me explain section 21 of the Bill. It limits the aid which may be given to a new or nascent industry, an industry to be newly established in an area where such industries are undeveloped, and a cottage industry, including industries conducted by groups or organisations of artisans. It makes no reference to the old tottering industries as my friends imagine. (Laughter.) The industries I have mentioned are the only ones for which Government aid is to be given. Now, Sir, let me, for the sake of argument, suppose that one of these old badly

managed industries by any means is able to press a claim on Government for these facilities. Then, let me explain to you the procedure which this decadent industry has to follow. The promoter or owner of such an industry would have, under section 22, to submit to an exhaustive analysis of the soundness of the financial condition and the management of his industry. You will see here an elaborate category of modes of inquiry which the Government and the Board may put into operation in order to get a thorough insight into the condition of the industry. Then, under section 21, in the case of a registered joint stock company, the local Government would have to approve of the composition of the Board of Directors; and lastly any such proposal for State aid would have to survive the examination of the Finance Department. Now, Sir, Mr. Cooper has told us of the many details which he has to go through in prosecuting his industrial concern. One of the things which Mr. Cooper, however, has never done in his life, is to submit any scheme to the Finance Department of the Government of Bengal. I have often had to do this, and I would ask him to accept my earnest assurance that if anybody promoting a scheme with the slightest loophole for improper or irresponsible use of public money comes to the Finance Department, he is met on its portals with an invisible motto and that is: "Abandon all hope ye who enter here with any improper or unsound scheme." So, I would ask him to believe that the machinery provided in the Bill would make it impossible for any unsound scheme to survive the examination by the Board and the ultimate reference to, and the approval of, the appropriate departments of Government. Sir, the development of industries and the improvement of the economic condition of the people is an urgent problem before the country. (Hear, hear.) If it could be successfully solved, it would give opportunities to the latent capacity of the people of the province, and raise the modern fabric of civilised life in Bengal. The last ten years have been years of trade depression and of falling prices due to causes which are entirely beyond the power of this Government, and even of Mr. Cooper and his confreres. Even the large industries associated with Mr. Cooper's group have been in difficulty. So far as I am aware, they have been unable to establish any substantive number of new industries. There is, however, one industry which is an exception to the general depression and which has made some progress and is managed by a member firm of the Bengal Chamber of Commerce. The new paper pulp industry which uses bamboo as its raw material is the industry I refer to. It has expanded its outturn from 2,500 to 6,000 tons of paper per annum in the course of the last four or five years. But how has that been done? It has been done because Government helped the industry. (Hear, hear.) Government made the researches in the Forest Research Institute at Dehra Dun on the basis of which the industry has been established. The new machinery which we ask the Legislative Council to sanction in this Bill will be of great assistance in helping the industrial regeneration of this

country, and I earnestly ask this House to trust the department and to trust Government, and to reject the amendment proposed by Mr. Cooper.

Maulvi SYED MAJID BAKSH: Sir, when the question was asked of Louis XIV, the King of France, as to how he kept his head among the warring sections of France, his reply was that he did not join any party and he was above all parties and warring sections. That was his secret. I think Government ought to keep itself above the level of stocks and shares. Sir, it is one thing to give bounty or help to a nascent industry by affording protection or raising tariff walls, but it is another thing to come down from that level to purchase shares and be a sport of chance in the market. In helping a nascent industry if Government comes to the level of purchasing shares we do not know what mischief will be done. Of course the idea that has been pressed on behalf of the scheme is that in the case of a falling or neglected industry the purchase of shares by Government will give it a speedy recognition in the market. That is the very thing which is objectionable, because if an industry succeeds in inducing Government to purchase shares, it is certain that the shares will rise in value and when the value rises many people will take advantage of this and sell their shares at a premium which they could not sell at par. We have the example of this in the case of the tea shares of Jalpaiguri. (A VOICE: Government did not purchase tea shares.) My friend to my left however knows it better than myself. I have some experience of this matter, and I know it was the custom amongst persons who wanted to start tea gardens in Jalpaiguri to purchase ahead many more shares than they intended possibly to keep for themselves. By this act of theirs they possessed most of the shares and sold most of them and thus managed to keep some of the shares practically free of cost. Therefore on that ground, Sir, I submit that Government need not meddle in these shares. Nobody knows whether their value will rise or fall, and sometimes Government will stand to lose. Instead of trying to help nascent industries by purchasing shares, Government can advance money in various ways and the industries will stand to gain much better advantages by that method than if Government purchased the shares.

Mr. E. C. ORMOND: Sir, is not one of the main objects of the Bill to support cottage industries and rural industries and to prevent the influx of people from the country to the towns which will result, and has resulted so often, in increasing unemployment in towns and in decreasing prosperity in the country? Sir, if that be one of the main objects of the Bill, then the kind of industries which this Bill contemplates to deal with are local rural industries away from the centre of Government. How is it then that Government is going to take a practical interest in the control of such industries as it would need to do

if it took shares and was saddled with all the duties and responsibilities of large share holders? Will it not, Sir, entail an enormous expansion of the department over which the honourable gentleman presides? I do not know whether that would be acceptable or unacceptable to him. On the one hand it may be interesting to have a large and growing department; on the other hand it is unpleasant for the honourable gentleman to have more work than he can do. Apart from the question of the particular pleasure of Government, what is going to be the advantage to Bengal?

5-45 p.m.

Will it not simply mean that, in fact, more money will have to be spent in sending out Government supervisors, Government directors, checking expenditure and examining the state of business? It seems very well on paper, you will send out emissaries of Government to examine and inspect industries, and incur heavy expenditure on industries which are for the most part quite small industries, which can hardly stand the cost of this. The cost will not be debited to the actual industry itself no doubt; but it will be an expense to Bengal all the same. I think we could get on perfectly well without Government taking any shares in cottage industries. Mr. Weston has made a point of the part Government has taken in the new industry of paper making from bamboo pulp. It hardly needs to be pointed out that all this was done without any State aid to Industry Act at all. It is the duty of the department, and we are very grateful for it—I say it with all sincerity —but it is what we expect from this Government Department that it will do these things. It will be open to Government to take similar action in order to help these industries of Bengal. We are told that Bihar and Orissa have a State Industries Bill, also Madras and Mysore. Sir, it is interesting to be told of these matters by Government at this time; but if those Bills had been a success at all, would we not have heard more about them? Is it a good advertisement for the working of this Act that this Council has to be reminded of the fact that other Provinces have Acts similar to this? And why, because Madras and Mysore have an Act, should Bengal have an Act? If there is an Act in Russia and all the people and all private enterprise are completely controlled by that Act, is that any reason why Bengal should have a similar Act? That is a downward path. In any case, why should we have this interference with private enterprise in the form of Government's taking shares?

Babu JATINDRA NATH BASU: The suggestion that people should be encouraged to settle down to cottage industries is a very good one, but I do not think it is practical for the simple reason that if all the people in the villages who are engaged in other industries, are now asked to settle down to cottage industries, they will have no scope for their work at all. The profits from cottage industries, if all people took

to those industries, will be very meagre. Cottage industries can only provide a very small amount of the needs of the people. If a man starts to weave a cloth for his own use, it will take him about six months to complete it, and it will be insufficient even for the requirements of his family. The result of economic pressure has been that there has been a great deal of migration of the rural population towards cities; that is a matter which you cannot stop, because it is a natural migration. The people find themselves unable to support themselves in their village homes with these cottage industries, and they migrate to the cities seeking employment. The rural areas cannot support the population; you have to find means to support this growing population. You will have to face this; you cannot leave the people starved or half-starved. If you want to bring any prosperity to this country, you must face the question of economic progress and come forward with State aid. You may try to shelve your responsibility but you should not. The responsibility will be forced upon you.

Khan Bahadur Maulvi AZIZUL HAQUE: I have been a student in Calcutta prior to the year 1914, and what I have read in my text-books has lent support to the view that I should support Mr. Cooper, but the views of my friend Mr. Basu for the moment, and what I have heard later in Council, precludes me from supporting him. As I was saying all I have learnt from text-books and the lessons thereon point to the doctrine that the State should not interfere in the smallest way with industry; but the perspective of the world has changed and the world has given a new form of ideas. For the first time every country in the world realises that it cannot possibly keep to the old doctrine. May I remind Mr. Cooper that a great factor of the economic condition of Bengal is that it is absolutely dependent on agriculture. Look to Birbhum you will find that that area is in a chronic state of famine and distress————

Babu JITENDRALAL BANNERJEE: I deny that.

Khan Bahadur Maulvi AZIZUL HAQUE: You may deny it, but I have proof that there is more distress, I do not mean in this district particularly, but in all that area, in Birbhum, Bankura and the neighbouring villages. And the main reason for this distress is that it is primarily dependent on agriculture. It has practically no industries; for the time being its ancient industries have practically all gone, so much so that, if Mr. Bannerjee will take the trouble to go down and look at it, he will find that in one village alone, Alumdar, there is not one house left. But the fact is that the only hope of the whole of Bengal at present, is the development of her industries. What does this Act aim at? Is its aim that Government should go down into the share market and take share and debentures? I will certainly agree with Mr. Cooper if I find that Government is, as a matter of fact, going

down to position in which they will take shares and debentures more freely. But I do not think it necessary that there should be such power given to Government that it could lower its dignity except the special circumstances and exigencies of the situation may admit. My friend says this is very dangerous. Can my friend point to any country where they have developed industry without taking risks? It is possible that there may be danger in developing industries, but you will have to make a certain amount of experiments; possibly it may take years. The history of the industrial population shows that many dangers and difficulties had to be overcome before they secured success.

Maulvi SYED MAJID BAKSH: (Inaudible in the Reporters' gallery.)

Khan Bahadur Maulvi AZIZUL HAQUE: My friend is a much older student than myself; he has more information than I have; he might have profited by the lessons of to-day, but he has chosen to stay in the same position as I saw him in his college days, but I would remind my friend what he wishes to deny, that the power should remain with Government of purchasing shares. I would at once turn him to Clive Street, and suggest that Government should enter the share market. Apart from that, my friend might take advantage of it, but so far as Government is concerned, I do not believe it will be possible for Government to enter the market. Is it not a fact that in the history of industries, Government has stepped in to interfere with industries; take for example, the East India Company; Government took up a large amount of financial responsibility for the development of this Company. What about the Railways? Is it not a fact that when the Railways started, Government had to accept a certain amount of responsibility. What about the many companies started in earlier days; is it not a fact that for the development of the resources of the country, Government had to do this. My friend points out that Bihar and Orissa has an Act. I admit it, but if I can find a single instance in which there has been abuse of finance, I will support my friend Mr. Cooper. I should say if there has been such abuse, then Mr. Cooper would have known of it; I have got much confidence in his ability to obtain facts anywhere. Instances would have come before us in which we would have got illustrations of abuse. One of my friends who has just interrupted me has drawn attention to the fact that the intention of the Act is to develop cottage industries, but is it possible to develop cottage industries and has my friend any idea as to the nature of the cottage industries which he thinks should be developed? I am only to point out that in view of the fact that money is provided and the special constitution of the Board is satisfactory and there is enough safeguard, no money will be wasted. Government must have the money on the recommendation of the Board.

6 p.m.

I do not mean that Government should have any hand in the working of the affairs of the Company. What I mean is that Government aid and consideration will be more available to the companies and the companies will have the chance of seeing better days than would be otherwise possible. In view of the many possibilities that have been provided for especially in the constitution of the Board which is not satisfactory from many points of view, that is the only safeguard that the money is not wasted. Even to-day we have accepted the amendment that Government will have to find money on the recommendation of the Board. Therefore it would not be possible for the Government to ignore public opinion and they will have to give aid to the industries. I want to draw the attenion of my friend Mr. Cooper to the constitution of the Board, the majority of the members of which would be those who have experience of business and certainly with their experience they will be able to control Government grant. At least it is an experiment and if the people come out successful it will be possible to find out money.

My friend has pointed out the name of the jute sale societies. I think the least said about it the better. Government knew nothing about these jute sale societies; they were not consulted and, as a matter of fact, gave no aid to these societies. But Government's name was used there. I would point out that Government's name was used in spite of certain directions so far as I am aware. Therefore I am in favour of the retention of this clause.

Sir LANCELOT TRAVERS: I only want to add a few words in this debate. I want it to be perfectly clear that although Mr. Cooper has put the motion with the approval of my group that must not be taken to mean that the British group does not approve of the object of this Bill. Mr. Weston who enthusiastically spoke about all sorts of things almost insinuated that we are not in favour of starting any new industry in Bengal. That is not true. We have done our best to start such industries on our own account and will continue to do so. What we are anxious about is that the assistance to be given should be given in the right manner, and once more I want to represent that a loan is a far more preferable way of giving assistance than the purchase of shares or debentures. If a loan is given to a company Government would not be responsible for its liabilities, both company and Government know where they stand, and if a further loan is required the company would have to come up to Government and convince them that they deserve help. But if Government take a thousand shares of the company the value of these shares may be a lakh to-day, ten thousand rupees to-morrow, and again half a lakh next week. What we urge is that it is not undesirable to give assistance but that it should be given in the right way.

Babu JITENDRALAL BANNERJEE: I should like to ask one question of Khan Bahadur Azizul Haque. What has been his personal experience of the working, the bureaucratic working, of the co-operative societies in Bengal? He has been waxing very eloquent over Government audit, Government supervision, and Government control. But with all the cumulative blessings of Government audit, Government supervision, Government control, can it be said that the Co-operative Department is a living and vital organization? Here, in the case of the Industries Department also, you will have the same effect from the same causes, and no amount of Government supervision and Government control will impart life to a lifeless and moribund institution. It is pretty to observe the sudden zeal and fondness for Government control and supervision which has been acquired by some of my friends to the left. They seem to think that our industries can never thrive except under the step-motherly care of the Government. For myself, I do not believe in the virtue or efficacy of Government interference here or in any other department of life and activity; and hence my very lukewarm sympathy for the object on the provisions of this Bill.

All the same I do not understand the fright into which my European friends seem to have been stampeded. After all, they are shrewd, hard-headed and practical men of business. And they think that from to-morrow, or as soon as the Bill is passed, the Government will launch upon extravagant stock-jobbing operations in the market? Do they really believe that this Bill is likely to be put into operation? I would have supported Mr. Cooper's amendment—at least I would not have opposed it—if I could have ever believed that the Bill was going to be acted upon. But I know that nothing of the sort is going to happen. Infructuousness, futility, is writ large upon every page of the Bill. Government will never spend a single pice for the development of any industry, whether new, nascent or tottering. All that will happen is that another Government department will be set up, more men will be appointed as supervisors, directors and controllers, more money will be spent on pay, allowances and travelling, and there will be more patronage for the Hon'ble Minister—to whose elbow be more power! If the Bill were really meant to be given effect to, it might have been a subject for serious consideration and debate. As it is, I would ask the European members of the House, who are remarkable for their business aptitude, to treat the thing with contempt and let it pass as it is.

Mr. J.N. GUPTA: After what has just been said by Mr. Bannerjee, I think it is incumbent on me to say a few words. Mr. Bannerjee began by saying that he did not believe that Government should interfere in the matter of industry. This is a somewhat belated and astounding proposition for anybody who has studied the advancement of modern

countries of the world knows that the foremost concern of every growing and living nation is the development of its industries and that is done mainly through Government aid. The next part of his observation was confined to the futility of this Bill, and his absolute certainty that the Bill is being introduced with the intention of not being acted upon. There may be some ground for complaint about the dilatoriness of Government in such matters. But we do hope and hope sincerely that in a matter like this which concerns the public so vitally the Hon'ble Minister will not allow the Bill to remain a dead letter. After Mr. Weston's speech I think it is not necessary to say anything more to oppose the motion. I wish, however, to say this that in Bengal there are special reasons why Government should devote more than ordinary attention to Industry. This is a sphere in which we are far behind other parts of India and in Bengal, the rapid growth of the agricultural population makes it specially desirable to open out industrial avocations for the people. It is well known that Bombay and other parts of India are far ahead of Bengal in this matter. The Department of Industry under the guidance of Sir L. Chatterton helped in the development of many industries in Madras and Mysore. Here in Bengal where industry is most needed we have done very little. Now that Government has waked up to its responsibilities, does it lie with any of us to say that Government should not do everything in its power to help nascent industries? Surely it does not come with good grace from that group of this House which has been exploiting the resources of the country for many years for their own advantage. I will only add this that now that the country has waked up, help it to develop its natural resources and let the sons of the soil get a share in the development of national industries.

I think we should support everything that is in the Bill. I thank those who have given their support to it. Though it does not really go far enough, but as far as it goes it deserves the support of every one who has the development of the industries of the country at heart.

Maulvi TAMIZUDDIN KHAN: I move that the question be now put.

The motion that the question be now put was put and agreed to.

The motion of Mr. C. G. Cooper was then put and a division taken with the following result:—

AYES.

Armstrong, Mr. W. L.
Austin, Mr. J. M.
Baksh, Maulvi Shaik Rahim.
Bakshi, Maulvi Syed Majid.
Banerjee, Babu Jitendralal.
Birkmyre, Mr. H.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Maulvi Abdul Ghani.
Clark, Mr. I. A.
Cooper, Mr. C. G.

Dain, Mr. G. R.
Eusufji, Maulvi Nur Rahman Khan.
Forrester, Mr. J. Campbell.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jafaluddin.
Hossain, Maulvi Muhammad.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Lal Muhammed, Haji.
Luke, Mr. N. R.
Macalister, Mr. A. S.
Miller, Mr. C. C.
Momin, Khan Bahadur Muhammad Abdul.
Norton, Mr. H. R.
Ormond, Mr. E. C.
Rahman, Mr. A. F. M. Abdur-
Ray, Mr. Shanti Shekhareswar.
Roy, Babu Jitendra Nath.
Sarkar, Sir Jadunath.
Solaiman, Maulvi Muhammad.
Stronach, Mr. K. F. G.
Sumner, Mr. C. R.
Travers, Sir Lancelot.
Wordsworth, Mr. W. C.

NOES.

Ali, Maulvi Hassan.
Ali, Maulvi Syed Nausher.
Bai, Babu Lalit Kumar.
Bai, Mr. Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Blandy, Mr. E. N.
Bose, Mr. S. M.
Bottomley, Mr. J. M.
Burai, Babu Dokul Chand.
Chaudhuri, Babu Kisheri Mohan.
Chaudhury, Maulvi Nural Absar.
Chowdhury, Haji Badi Ahmed.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Das, Babu Satyendra Kumar.
Das, Rai Bahadur Kamini Kumar.
Dash, Mr. A. J.
Dutt, Rai Bahadur Dr. Haridhan.
Farequi, the Hon'ble Khan Bahadur K. G. M.
Faweus, Mr. L. R.
Gangali, Rai Bahadur Susil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Babu Profulla Kumar.
Guha, Mr. P. N.
Gupta, Mr. J. N.
Gurner, Mr. G. W.
Haque, Khan Bahadur Maulvi Azizul.
Heque, Kazi Emdadul.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Maulvi Amin-ur-Zaman.
Maiti, Mr. R.
Marr, the Hon'ble Mr. A.
Mitter, Mr. S. C.
Mitter, the Hon'ble Sir Provash Chunder.
Mookerjee, Mr. Syamapresad
Mukherji, Rai Bahadur Satish Chandra.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Mullick, Mr. Mukunda Behary.
Nag, Reverend B. A.
Nandy, Maharaja Sris Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Nelson, Mr. J. W.
Philpot, Mr. H. C. V.
Poddar, Seth Hunuman Prosad.
Prentice, the Hon'ble Mr. W. D. R.
Rai Mahasai, Munindra Deb.
Ray, Babu Amulyadhan.
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Ray Chaudhuri, Mr. K. C.
Ray Chawdhury, Babu Satish Chandra.
Reid, Mr. R. N.
Rout, Babu Hosoni.
Ray, Babu Satyendra Nath.
Roy, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Roy Choudhuri, Babu Hem Chandra.
Saadatullah, Maulvi Muhammad.
Samad, Maulvi Abdus.
Sarker, Rai Sahib Rebati Mohan.
Sen, Rai Sahib Akshoy Kumar.
Sen Gupta, Dr. Naresh Chandra.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Sircar, Dr. Sir Nilratan.
Weston, Mr. A. T.

The Ayes being 37 and the Noes 70, the following motion was lost:—

"That clause 19(*1*) (*c*) be omitted."

The following motion was called but not moved:—

Babu KISHORI MOHAN CHAUDHURI to move that the proviso to clause 19(*1*) (*c*) be omitted.

6-15 p.m.

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that after clause 19 (*I*) (*h*) the following shall be inserted, namely:—

"(*i*) guaranteeing the sale of the entire output or any portion of the output of an industry on such terms and conditions as the local Government thinks fit;

(*j*) developing and organising or assisting in the development and organisation of the market for commodities produced by any industry on prescribed lines."

It is not necessary for me to say much on these two items. Hon'ble members will remember that clause 19 is in the nature of the object clause of the memorandum of association of a company. It specifies the powers which may be exercised by Government in the matter of giving State aid. It is important, therefore, that the clause should be so drawn up as to include within it all reasonable possible methods of State aid to industries, so that when the occasion comes for giving assistance in a particular manner, Government may not find itself incompetent to give assistance by reason of some defect in this clause. In the light of the clause, as it stands, it is doubtful whether, without the inclusion of these two clauses, Government would be in a position to give assistance in many cases. Now, Sir, with regard to the first part, Government, as a matter of fact, is doing a great deal—not a great deal but at any rate something—with regard to some industries. Government have sometimes taken up the whole of the output and sometimes part of the output of new industries. I am only stating this as one of the objects in order to give power to Government to give assistance under the provisions of this Bill to industries by directing the purchase of goods from such new industries for a certain number of years in order to enable them to stand on their own legs.

With regard to the next item—developing and organizing or assisting in the development or organization of the market for commodities produced by any industry on prescribed lines—the House may remember that this Bill is limited to certain industries, new or nascent industries, or certain other classes of industries. It is only in those limited classes of industries that the Bill will be applicable. It will be found that in respect of many such industries all that is required to enable them to stand on their legs is to provide for the organization of the market. Sir, I had occasion, along with two high Government officials, to investigate the possibilities of the handloom industry in Bengal several years ago, and the conclusion we arrived at after that investigation was that the main thing, the main difficulty, which the industry was suffering

from was that the market for the goods was not organized, and that if only we could organize the market in such a way that the demand for the commodity which already exists could be put into touch with the supply, practically everything would be done. If only the weaver could be sure of getting rid of his manufactures, the moment he had finished them, he could sell them cheaper and could produce much more to the all-round benefit of all. There are several industries of this character. But the main problem is not assistance in any other way, but assistance by way of organizing the market. The things are produced; the demand for the things also exists; but the regulation of demand and supply is wanting. Government may give important aid to such industries by taking a hand in organizing a market for them. I do not say that Government should permanently constitute themselves into a selling agency for these industries, but they may assist in the organization of the market. They are already doing so in a small way. They have established a co-operative sale depôt in Harrison Road, but that is only a very small attempt. As it is constituted, I take it that it only serves the purposes of the Co-operative Department, so that those industries which are not Co-operatively organized do not get any benefit from it. I think, Sir, the inclusion of this clause will enable Government to organize a market for the industries and help them without any form of financial assistance. I think, therefore, that this clause is important.

Mr. S. C. MITTER: The guaranteeing of the sale of the entire output or any portions of the output of an industrial concern is not a proper form of aid to an industry by a Government. Clause 19 lays down the various forms of State aid, likely to be of benefit to an industry, and it is undesirable for Government to enter into competition with the sales of similar products of other industrial concerns which might not have received an aid from the State. It will be one thing for the Government to give aid to an industry and quite another matter to give an undertaking to buy the products. In giving such an undertaking, the Government becomes a competitor and in this view the Government opposes this amendment. The Stores Purchase Department of the Government has been established for the selection of locally produced articles for purchase.

Developing, organising or assisting in the development of an organisation of the market for commodities produced by an industrial concern on prescribed lines is also not a proper form of State aid that can be extended to an industrial concern. Government have already recognised the importance of the principle laid down in the above amendment. Having accepted the principle, Government have created facilities for the marketing of the products not only of the co-operative societies but also of small industrial concerns. Government have encouraged into existence a sale depôt at Harrison Road

to which the hon'ble member referred. He mentioned that the sale depôt exists only for the marketing of co-operative products. This is not right. Government have established the depôt not only for facilitating the sale of co-operative products, but also for those of individual concerns. Government, therefore, oppose this amendment, as it is not a form of proper State aid that can be extended to small industrial concerns.

Mr. K. C. RAY CHAUDHURI: Sir, I support the motion of Dr. Sen Gupta, which has for its object the giving of aid to pioneer industries. Take, for example, the cigarette industry. In Bengal the people are trying for the extinction of British cigarettes, but at the same time they are patronising Chinese cigarettes. Why should not the Government act as pioneers in regard to this industry! The difficulties, so far as can be ascertained, ———

Dr. NARESH CHANDRA SEN GUPTA: On a point of order, Sir, Mr. Ray Chaudhuri is under a misapprehension, inasmuch as I have not moved the motion relating to pioneer industries.

Mr. K. C. RAY CHAUDHURI: I beg your pardon, Sir.

The motion of Dr. Naresh Chandra Sen Gupta was then put and lost.

6-30 p.m.

The following motion was called but not moved:—

Maulvi TAMIZUDDIN KHAN to move that after clause 19 (*1*) (*h*) the following shall be added, namely:—

"(*i*) any other form of aid that the local Government may consider proper and feasible in the circumstances of a particular case."

Mr. NARENDRA KUMAR BASU: I beg to move that after clause 19 (*1*) (*h*) the following be added, namely:—

"(*i*) the purchase of the products of an aided industry on favourable terms."

My amendment only gives power to Government to purchase the products of an industry to which State aid has been given, on favourable terms, so as to give it encouragement. I do not think any exception can be taken to this amendment.

Sir LANCELOT TRAVERS: May I ask the hon'ble mover one question, Sir? "Purchase the products on favourable terms:" favourable to whom, Sir, —to the industry or to the Government?

Mr. NARENDRA KUMAR BASU: To both.

Mr. A T. WESTON: I am sorry I cannot feel any enthusiasm for this amendment but, on the other hand, on behalf of the Ministry it is my task to oppose it. I think the mover will see that it is fundamentally impossible for Government to support or accept such a motion. Government in the interest of all communities, and like every other wise purchaser, must purchase its requirements of the best possible quality and in the cheapest possible market. Sir, it is true, and I believe Government does accept the position, that some preference should be given to products turned out by *bona fide* industries in Bengal, but beyond that it is impossible for Government to go. How does the hon'ble mover think that Government can entertain such a proposition, namely, that it should purchase the products of a State aided industry on favourable terms? Does the hon'ble mover think that Government will subsequently be able to sell the goods which it purchases on equally favourable terms specially in these days of falling prices? It will be impossible to do so. Therefore I think that the House will see that this amendment, plausible as it is in its object of trying to help an industry to which State aid has been given, wants to commit Government also to purchase the products of that industry irrespective to other essential consideration—a course to which Government cannot agree. Accordingly I would request the mover to withdraw his amendment.

Mr. NARENDRA KUMAR BASU: In view of Mr. Weston's reply, I beg leave of the House to withdraw my amendment.

The motion of Mr. Narendra Kumar Basu was then, by leave of the Council, withdrawn.

The following motion was called but not moved:—

Mr. SHANTI SHEKHARESWAR RAY to move that to clause 19 (*3*) the words "or the sum of rupees twenty thousand" shall be added.

Mr. PRESIDENT: The question is that clause 19, as amended by the Council, stand part of the Bill.

The motion was put and agreed to.

Clause 20.

Mr. PRESIDENT: The question is that clause 20 stand part of the Bill.

The motion was put and agreed to.

Clause 21.

The following motion was called but not moved:—

Babu KISHORI MOHAN CHAUDHURI to move that in the first proviso to clause 21, lines 3 to 5, the words "and the local Government approves the composition of the Board of Directors of the company" be omitted.

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that after the first proviso to clause 21 the following shall be inserted, namely:—

"Provided also that the prescribed proportion of the members of the Board of Directors and of the shareholders of the company are domiciled Bengalees."

The clause, as it was originally drafted, had a clause that the prescribed proportion of the members of the Board of Directors of the company should be Indian. The Select Committee deleted that clause on the ground that the committee disapproved of the principle of discrimination in sub-clause 3, they added the proviso that the local Government should approve of the composition of the Board of Directors of the company. I appreciate the reasons of the Select Committee in removing that discrimination though I do not say that I approve of their nervousness about this matter. We have to discriminate in favour of Indian and in Bengal we have to discriminate in favour of the Bengalees, but I have not put the discrimination I propose on any racial ground. I have placed it on the ground of domicile so that every man, no matter from where he hails, if he has a domicile in Bengal, will be considered for the purpose of counting as a member entitled to be on the Board of Directors and shareholders for the purpose of giving State aid. It cannot be contended that there is anything wrong in principle, anything wrong from any point of view whatsoever in the State refusing any assistance for the purpose of promoting an industry which is not for the benefit of the people who are the charge of the State. Such a principle, such a catholic principle, has not been conceived in any part of the world that I know of. It is no doubt true that some countries are catholic enough to allow the nationals of every country to come and trade freely within the country, but I do not know that any State has been so catholic as to give State aid to foreigners for the purpose of exploiting the resources of the country. Take, for instance, a number of Chinese people coming to Bengal. It is no imaginary terror, the Chinese have already started industries in Calcutta which are threatening the

industries of the indigenous people. Supposing a number of Chinese coming from China settled down here and I think for six months after the passage of Mr. Bijoy Prasad Singh Roy's Bill into law there will be an influx of a great many Chinese for the purpose of getting themselves registered as opium-smokers in Calcutta.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: May I rise on a point of personal explanation? My friend made a great mistake. There will be a time-limit within which one must get himself registered as an opium-smoker. The book will not be kept open for ever for him.

Dr. NARESH CHANDRA SEN GUPTA: The Hon'ble Minister has, I am afraid, missed the exact words I used. I said for six months after the passage of the Bill there will be an onrush of Chinese people coming to settle in Calcutta to register themselves as opium-smokers. The Chinese are very active people and have powers of work which we have not got. Supposing these people want to start an industry and form a company, the shares of which are owned by the Chinese and the Directors are all Chinese, none of them having their domicile here. Is it suggested that, even if the Board is foolish enough to recommend State aid, and if the Government is unwise enough to accept that recommendation, they should have power to grant aid? It is not normally probable that the Government would give aid to a Chinese company, but there are other races than the Chinese. Those other persons may possibly receive assistance from Government and I want that that power should be taken away from Government and that the Government should not have the power to give assitsance out of the revenues of Bengal to persons who are not interested in Bengal, because a person who has no such thing as a domicile in Bengal is not a person having an interest in Bengal, for the purpose of exploiting the resources of Bengal. This is a principle to which no possible exception can be taken on racial or any other grounds and I commend this amendment to the acceptance of the House.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, with regard to the amendment of Dr. Naresh Chandra Sen Gupta in clause 21 to the effect that the prescribed proportion of members on the Board of Directors and shareholders should be domiciled Bengalees, I would like to point out that the Bill is intended for the benefit of the people of this Province. It therefore follows that the people of this Province will be encouraged to take to industrial pursuits. A provision has been made under clause 21 that the composition of the Board of Directors of the company applying for State aid shall have to be approved by the local Government. This provision will, I think, amply serve the purpose of Dr. Sen Gupta's amendment. Further, it may be stated in this connection, that in the State Aid to Industries

Acts of other Provinces, such as that of Bihar and Orissa and Madras, no similar provision exists in favour of the domiciled residents of those Provinces. In the circumstances, it would be undesirable to have a discriminating provision in our Bill. In view of this explanation, I hope my friend Dr. Sen Gupta will be prepared to withdraw his motion. Otherwise I have to oppose it.

Mr. NARENDRA KUMAR BASU: The Hon'ble Minister has said that unless this amendment is withdrawn, he is going to oppose it. It is no use, it will serve no practical purpose, to support this amendment, but in reply to his arguments I may point out that we know from practical experience that even though other Provinces have not a provision of this nature in a statutory form on the Statute Book, they have in fact kept their provinces as preserves for their own nationals. Bengal has ever been a dumping ground for all and sundry from all over India. Bihar is for the Biharees, the United Provinces for the U. P'ites, the Punjab for the Punjabis and Madras for the Madrassis, but Bengal is for everybody, excluding Bengalees if possible. Therefore in the case of Bengal, it is necessary to have a provision of this description and even though the Bihar and Madras Acts have not this provision, I think a provision of this nature is necessary here.

The motion of Dr. Naresh Chandra Sen Gupta was then put and lost.

Mr. PRESIDENT: I shall adjourn the Council at 6-45, but before I do so, I might tell the House that Monday could not be devoted to Government Bills as was originally contemplated, because on that day we had to take up a special motion and you will remember that the Council was adjourned immediately after that special motion was disposed of. After consultation with me, His Excellency made a modification of the allotted time and was pleased to direct that to-morrow would be devoted to Government Bills. I shall, therefore, take up outstanding Government Bills that still remain to be disposed of when we meet to-morrow. I have taken good care to see that the time allotted to non-official business is not curtailed in any way and I can assure the House that it has not been curtailed.

The Hon'ble Mr. A. MARR: Immediately we finish Government business to-morrow we can take up non-official Bills.

Mr. PRESIDENT: Yes. The Council is now adjourned till 3 p.m. on Thursday next.

Adjournment.

The Council was then adjourned till 3 p.m., on Thursday, the 23rd July, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Thursday, the 23rd July, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 111 nominated and elected members.

Starred Questions

(to which oral answers were given).

Leave vacancies of ministerial officers of the Presidency College, Calcutta.

***40. Maulvi SYED MAJID BAKSH:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that two Mussalman ministerial officers of the Presidency College, Calcutta, took leave from the 21st October, 1929, to the 20th December, 1929, from the 17th March, 1930, to the 16th April, 1930, and from the 13th January, 1931, to 21st March, 1931, respectively, and the resulting vacancies were filled up by Hindus?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble the Minister be pleased to state whether any attempt was made to notify the vacancies to receive applications from Muhammadan candidates?

(*c*) How many applications of graduate Moslem candidates were received for a clerical post of Rs. 40 per month when an advertisement was made for a leave vacancy for a month only in the Presidency College Library, Calcutta?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) Yes.

(*b*) No.

(*c*) Thirty-three.

Khan Bahadur Maulvi AZIZUL HAQUE: Is the Hon'ble Minister aware that, on the 16th March, 1931, an answer to this very question was given as follows:—

"No Hindu was appointed to officiate when Moslem employees of different classes took leave during the last four years." Now, the answer to the very question is given in the affirmative. Which of these answers is correct—the present or the last one?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I ask for notice. I will look up the file.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to ask his Department to be more careful in future?

Mr. PRESIDENT: I do not allow that question.

Maulvi SYED MAJID BAKSH: In view of the supplementary question, will the Hon'ble Minister be pleased to state whether the answer previously given was a false one?

Mr. PRESIDENT: I do not allow that question.

Landlords' fees.

*41. **Maulvi ABDUL CHANI CHOWDHURY:** Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a statement showing—

(*i*) the total amount of landlords' fees received by Government from April, 1929, to March, 1931, under the Bengal Tenancy (Amendment) Act;

(*ii*) the total amount actually withdrawn by the landlords; and

(*iii*) the surplus still in deposit with Government?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*i*) Rupees 83,48,203.

(*ii*) Rupees 46,07,471.

(*iii*) Rupees 37,40,732.

Babu AMULYADHAN RAY: Is the Hon'ble Member aware that there is often abnormal delay in getting landlords' fees?

The Hon'ble Sir PROVASH CHUNDER MITTER: In the beginning there was some delay, but there is much less delay now.

Babu AMULYADHAN RAY: Does the Hon'ble Member contemplate taking steps to expedite the transmission of landlords' fees?

The Hon'ble Sir PROVASH CHUNDER MITTER: Adequate steps have been taken, but so long as the landlords do not know their own business there will be some delay.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state the total amount of landlords' fees lying in deposit in the Dacca collectorate from April, 1929?

The Hon'ble Sir PROVASH CHUNDER MITTER: I believe either yesterday or some day this session I laid a statement on the table giving all the figures, district by district.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state the amount actually drawn by the landlords from the collectorate of Dacca?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am afraid I cannot say.

Babu JITENDRALAL BANNERJEE: Who will benefit if the landlords neglect to draw the fees? Will Government benefit?

The Hon'ble Sir PROVASH CHUNDER MITTER: It will benefit the district boards and the local people will be benefited.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether there is any defect in the rules, which, if remedied, will facilitate the withdrawal of fees?

The Hon'ble Sir PROVASH CHUNDER MITTER: Certain landlords met me and the Member in charge of the Board of Revenue and made certain recommendations. We are looking into the matter; we have modified some of the rules, but the real difficulty is that the co-sharer landlords do not take advantage of the procedure laid down.

Measures taken to relieve distress.

*42. **Babu PROFULLA KUMAR GUHA:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state what amount has been allotted by the Government to cope with the famine in the current year?

(*b*) Is it a fact that in several districts of Bengal famine is already in sight?

(*c*) If the answer to clause (*b*) is in the affirmative, will the Hon'ble Member be pleased to state what actions, if any, have been taken by the local authorities to combat the impending famine?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) There is no famine in any district of this province, although there is distress in some districts. To relieve the distress Government have allotted Rs. 8,77,500 for agricultural and Rs. 6,000 for land improvement loans, Rs. 39,740 for advance to district boards for test relief works, and Rs. 38,100 for gratuitous relief. The sums so allotted practically represent the total of the recommendations made by local officers through the Commissioner of the Division.

(*b*) No.

(*c*) Does not arise.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state how is it possible for him to distinguish between famine and distress?

The Hon'ble Sir PROVASH CHUNDER MITTER: It is clearly laid down in the Famine Code.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state whether about three years ago there was a suggestion made to revise the anti-diluvian Famine Code and the Hon'ble Member promised to revise it?

The Hon'ble Sir PROVASH CHUNDER MITTER: I promised to look into the matter and not to revise the Code. After looking into the matter I came to the conclusion that it need not be done.

Khan Bahadur Maulvi AZIZUL HAQUE: Is the Hon'ble Member aware that the Famine Code followed here is the Bihar Famine Code and not for Lower Bengal?

The Hon'ble Sir PROVASH CHUNDER MITTER: No.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether famine exists in Pabna and Bogra?

The Hon'ble Sir PROVASH CHUNDER MITTER: There is no famine in any of these two districts as paddy is selling there at two pice a seer. But I admit that there is distress due to want of ready cash.

Babu JITENDRALAL BANNERJEE: If there is no famine what is the point in providing for relief?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have stated in my answer that we have provided money to relieve distress. Before famine relief is given, famine has to be declared. I may tell Mr. Bannerjee that the whole question will be discussed in more than one resolution.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state what should be the price of paddy before famine relief is to be given?

The Hon'ble Sir PROVASH CHUNDER MITTER: No price can be stated.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether action has been taken by the District Board of Pabna under the Famine Code?

The Hon'ble Sir PROVASH CHUNDER MITTER: No.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether his attention has been drawn to deaths due to starvation in Mymensingh and in other districts?

The Hon'ble Sir PROVASH CHUNDER MITTER: Every case in which newspaper reports came to Government's notice was carefully examined and on examination it was found that the statements were not correct.

Rent suits under the Bengal Tenancy Act.

*43. **Kazi EMDADUL HOQUE:** (a) Will the Hon'ble Member in charge of the Judicial Department be pleased to state—

(i) how many rent suits under the Bengal Tenancy Act were filed on the 14th April, 1931, all over Bengal; and

(ii) how many plaints of these suits have been rejected for non-payment of the plaint fees?

(b) Have judicial officers granted extensions of time for payment of the deficit fees owing to the economic distress?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (a) (i) 292,630.

(ii) 12,196 (or 4·2 per cent.).

(b) The granting of time is a matter for the exercise of judicial discretion in each case.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether "judicial discretion" means judicial indiscretion?

Mr. PRESIDENT: I do not allow that question.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether 4·2 per cent. is the normal figure?

The Hon'ble Mr. W. D. R. PRENTICE: I do not know.

Lead-poisoning cases in Government Press.

*44. **Maulvi LATAFAT HUSSAIN:** Will the Hon'ble Member in charge of the Finance Department be pleased to lay on the table a statement showing in the Government Printing Press, Bengal, Alipore, from 1929 to June, 1931, year by year—

(i) the number with names of lead-poisoning cases detected;

(ii) the number with names of lead-poisoning cases sent to the Medical College Hospital for examination; and

(iii) the number with names of cases in which compensation was paid by the Government?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. A. Marr): A statement is laid on the table.

Statement referred to in the answer of starred question No. 44 of lead poisoning cases in the Bengal Government Presses from 1929 to June, 1931.

Year.	Number, with names, of cases detected.	Number, with names, of cases sent to the Medical College Hospital for examination.	Number, with names, of cases, in which compensation was paid by Government.
1	2	3	4
1929 ..	Nil ..	(1) Babu Abinash Chandra Roy (No. 2)*. (2) Babu Chandra Bhusan Modak*. (3) Babu Ashutosh Sen*. (4) Maulvi Nader Hossain.*	Nil.
1930 ..	One case, that of Babu Nagendra Nath Aich.	(1) Babu Anadi Nath Banerjee. (2) Babu Nagendra Nath Aich.	Nil.
1931 (up to June).	....	Atul Kristo Dast ..	One case in which compensation was given, viz., that of Babu Nagendra Nath Aich.

*Of these lead poisoning was detected only in one case as shown in column 2.

†The case is pending.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state why Babu Anadi Nath Banerjee was sent to the Medical College?

The Hon'ble Mr. A. MARR: Because they wanted to find out what he was suffering from.

Inspection of Government Presses by the Inspectors and lead-poisoning cases.

***45. Maulvi LATAFAT HUSSAIN:** Will the Hon'ble Member in charge of the Commerce Department be pleased to state—

(i) the number of presses, with their names, inspected with dates, by the Inspectors of the Factories Department in the year 1930-31;

(*ii*) the number of persons examined, with the names of the presses to which they belong, and the dates of examination, by the Factories Department in the year 1930-31;

(*iii*) the number of lead-poisoning cases detected in the course of the examination by the Inspectors of the Factories Department in the year 1930-31;

(*iv*) the number of lead-poisoning cases, with names and the presses to which the persons belong, sent to the Medical College Hospital for examination in 1930-31;

(*v*) the number of proceedings started for the lead-poisoning cases in 1930-31; and

(*vi*) the steps taken for the prevention of lead-poisoning among the workers in presses?

The Hon'ble Mr. A. MARR: (*i*) The compilation of such a statement would involve a great deal of clerical labour and Government are not prepared to undertake it; but the following gives the chief items of information required:—

Number of presses on the register during the calendar year 1930—91.

Number of inspections—228.

(*ii*) It is presumed that this refers to persons examined by the Certifying Surgeons. The total number examined during 1930 was 16. A Certifying Surgeon visits printing presses when requested to do so by the Chief Inspector of Factories. He is required to visit presses only if Inspectors report that persons under 18 years of age are employed therein. A Certifying Surgeon does not examine adult male workers.

The names of the presses visited by the Certifying Surgeon, the number of young persons examined, and the dates of examination are laid on the table.

(*iii*) Only one case of lead-poisoning among young persons was detected by the Certifying Surgeon in 1930.

(*iv*) The information is not available. Apart from the power to refuse or cancel a certificate to a person under 18 years of age, the Factories Department has no power to prevent persons suffering from lead-poisoning from being employed or to order such persons being sent to hospital for examination.

(*v*) There is no provision in the Indian Factories Act under which an employer may be prosecuted in lead-poisoning cases.

(*vi*) Posters both in English and Bengali giving information and instruction regarding the cause of lead-poisoning have been circulated to all presses. In order that particular attention may be given to the

question of lead-poisoning and to the general condition of printing presses, the duty of inspecting all presses has been assigned to one Inspector. With respect to the steps taken by the Factories Department for the prevention of lead-poisoning among the workers in printing presses, the attention of the member is invited to pages 12 and 20 of the Annual Report of the Chief Inspector of Factories for 1930.

Statement referred to in the answer to clause (ii) of starred question No. 45.

PRINTING PRESSES VISITED BY THE CERTIFYING SURGEON OF FACTORIES DURING THE YEAR 1930.

Names of Presses.	Number of young persons examined.	Date of examination.
Calcutta General Printing Press	One One	30-6-1930. 27-11-1930.
Basumati Printing Press	Two Two	28-8-1930. 27-11-1930.
Indian Stationery Supply Depot	One One	12-9-1930. 5-12-1930.
Caledonian Printing Press	Two One	19-9-1930. 5-12-1930.
Catholic Orphan Press	One One	20-9-1930. 5-12-1930.
Baptist Mission Press	Six Six	22-9-1930. 8-12-1930.
Sulov Press	One	18-10-1930.
Amrita Bazar Patrika Press	One	27-10-1930.
Gordon Printing Press	One	8-12-1930.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether adult persons are not affected by lead-poisoning.

The Hon'ble Mr. A. MARR: They may be.

Unstarred Question

(answer to which was laid on the table).

Question of a Work Committee in Government Press.

41. Mr. K. C. RAY CHAUDHURI: (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state whether it is a fact that the Piece Work Enquiry Committee strongly recommended in 1926 to introduce a Work Committee in the Bengal Government Press?

(*b*) Is it a fact that the Royal Commission on Labour in India strongly recommended the introduction of a Work Committee in every industry in India?

(*c*) Is it a fact that the employees of the Bengal Government Press sent in March last a memorial to the Superintendent, Bengal Government Press, praying for the appointment of a Work Committee?

(*d*) If the replies to (*a*), (*b*) and (*c*) are in the affirmative, will the Hon'ble Member be pleased to state why steps have not been taken to introduce a Work Committee in the Bengal Government Press?

The Hon'ble Mr. A. MARR: (*a*), (*b*) and (*c*) Yes.

(*d*) The question is under consideration.

GOVERNMENT BUSINESS.

Legislative Business.

Government Bills.

The Bengal State Aid to Industries Bill, 1930.

The discussion on the above Bill was then resumed.

Dr. NARESH CHANDRA SEN GUPTA: Sir, having regard to the recommendations of the Whitley Commission report, which will shortly be considered, I do not think it is necessary for me to move the amendment.

The following amendment was not moved:—

Dr. NARESH CHANDRA SEN GUPTA to move that to the second proviso to clause 21 the following shall be added, namely:—

"and shall comply with such conditions and regulation with regard to wages, labour conditions and general welfare of labourers employed in the industry as may be prescribed."

Mr. PRESIDENT: The question is that clause 21 stand part of the Bill.

The motion was put and agreed to.

Clause 22.

Mr. PRESIDENT: The question is that clause 22 stand part of the Bill.

The motion was put and agreed to.

3-15 p.m.

Clause 23.

Mr. C. C. COOPER: I beg to move that to clause 23 (*1*) the following be added, namely:—

"and payment made to a sinking fund for the purpose of repayment in the prescribed manner of any loan granted under the provision of clause (*a*) of sub-section (*1*) of section 19 or of any sum guaranteed by the Local Government under the provisions of clauses (*b*), (*d*) or (*e*) of that sub-section."

I was surprised when my friend, Mr. Basu, admitted yesterday that it was useless to fight Government in this Bill, if they opposed his amendments. I took a couple of bad tosses yesterday riding the stiff fence of Government opposition, and most thoroughly enjoyed myself. It did not hurt me, but amused me so much, I now ride at another fence! We had yesterday the diverting spectacle of a Government department indulging in self-glorification and self-advertisement. I do not grudge to the Department of Industries, their cheap advertisement. They badly needed it!

Sir, in speaking to my amendment, I expect my old friend, Mr. Weston, will again twit me about being ultra-careful in insisting upon sound business principles being inserted in this Bill. We favour the object of this Bill, it is the Bill itself we dislike, as it is a real bad Bill, yet Government resist every effort to improve its glaring defects!

Sir, in clause 19 (*2*) it is provided that when State aid is granted by way of grant on special terms of land, raw material, etc., or by payment of a subsidy for the conduct of research or the purchase of machinery, the local Government shall ordinarily fix a period of years and a rate of interest on the capital invested; and that if, within such period, the industry pays a rate of interest or a dividend in excess of the rate so fixed, the value of the aid granted shall be paid at the expiration of the period. And clause 22 (*2*) provides that, during the continuance of State aid in any form, no dividend shall be paid to shareholders, and no profit taken by the owner in excess of such percentage rate upon the amount of the paid-up capital invested in the industry as the local Government may fix. We do not consider these provisions to be satisfactory. It seems to us, and we hold the view strongly, as business men, that the first charge on profits should be the return of the loan from Government, and not the payment of dividends. At any rate there should be a provision that at least twenty-five per cent. of the profits should, before any dividend is paid, be placed to reserve, as is usual, for example, in the rules of a co-operative society; and, where the aid has taken the form

of a cash loan, provision should be made to the effect that a sinking fund be created out of the profits, such sinking fund being separately invested and earmarked for the repayment of the loan, so that, on the expiry of the term for which the loan has been granted, an actual investment will be available wherewith the amount of the loan can be repaid to Government.

The Hon'ble Khan Bahadur K. C. M. FAROQUI: On behalf of Government, I am prepared to accept the amendment moved by Mr. Cooper.

The motion of Mr. C. G. Cooper was then put and agreed to.

Mr. NARENDRA KUMAR BASU: With your permission, Sir, I would like to move the two clauses 23A and 23B separately.

Mr. PRESIDENT: Yes, you may do that.

Mr. NARENDRA KUMAR BASU: I beg to move that after clause 23, the following be inserted, namely:—

"23A. (*1*) All aided industries shall pay to the Board each year during a period of ten years from the beginning of the aid, or for such period as may be fixed by the Board, a portion of the profits made by them to be determined by the Board.

(*2*) The Local Government shall make over to the Board annually a sum not less than the aggregate amount received by the Board under sub-clause (1).".

The object of this motion is clear from the wording. It goes to provide a fund, and in order that there may be a nucleus of the fund, I am proposing that all businesses as soon as they are in a position to do so, shall pay a percentage of their profits to the Board and Government shall pay an equal amount of money to the Board.

Mr. L. R. FAWCUS: Sir, I beg to oppose this motion, on the ground that it provides for the payment of a sum of money by both a presumably struggling industry, and a probably hard up Government for purposes which at present, as far as I can see, are entirely indefinite. Under clause 31 of the Bill it will be the duty of the local Government to frame such rules as will define the precise functions of the Board that is to be created, but until these functions are defined, it seems to me that to provide a fund to carry out the functions of the Board, must be premature. When those functions are actually determined, then I think it will be the right time to take up the question of providing these funds, but to do so now, particularly as

proposed in this amendment by a sequestration of State funds, and by a sort of compulsory levy on a struggling industry, is both unwise and premature. On this ground I beg to oppose the amendment.

Dr. NARESH CHANDRA SEN GUPTA: I have complete sympathy with the amendment of my friend Mr. Basu and I should like something like this to be added, but I find technical difficulties which I wish to point out to Mr. Basu for his consideration. The difficulty is this: The Board constituted by this Act is not a body corporate, therefore no property can be vested in the Board. Any funds that are paid to the Board, do not belong to the Board, it goes to Government, and under the rules whatever money is paid into a department belongs to Government, and the department can only spend the money which is allocated to its use, so that the effect of this provision would be that the Board will be receiving the money which will be credited to Government funds, and the Board will not have the power to spend a pice of it unless the funds are allocated by the Government to it. Under these circumstances I think that the amendment in this form would not be of any use.

Mr. J. N. GUPTA: While I am in sympathy with the spirit of the amendment that some money should be paid to the Board, yet I do not think that the Board can utilise profits of this nature. I entirely agree with Mr. Fawcus that in the case of a struggling industry if we claimed a share of its profits that would be hampering it entirely. It is opposed to the real spirit of the Bill that any portion of the profits of industries which we wish to help should go to the Board. Apart from the technical difficulty pointed out by Dr. Naresh Chandra Sen Gupta, I wish Mr. Basu will consider the above point and on further consideration will withdraw the amendment. After all, we are trying to help industries, and obviously this is not the manner in which this can be done. Our object is to help, not to saddle them with payments at the beginning of their career. I therefore oppose the amendment.

The motion of Mr. Narendra Kumar Basu was then, by leave of the Council, withdrawn.

Mr. NARENDRA KUMAR BASU: I beg to move that after clause 23, the following be inserted, namely:—

"The Board shall have power to receive donations, endowments or contributions from the public on such conditions as may be approved by the Local Government."

I think if anybody comes forward with offer of help for the Board with money, the Board ought to be able to receive that money and utilise it.

Mr. L. R. FAWCUS: Sir, Government is prepared to accept this amendment. If anybody is public spirited enough to come forward with funds to assist the Board, there seems to be no reason at all why the Board should not have the power to accept the money. But I suggest that in that case it will be necessary to renumber the proposed clause as 23A, for the clause shewn as 23A in the notice of motion has been withdrawn.

The motion of Mr. Narendra Kumar Basu was then put and agreed to.

Mr. PRESIDENT: The question is that clause 23, as amended by the Council, stand part of the Bill.

The motion was put and agreed to.

Clause 24.

Babu KISHORI MOHAN CHAUDHURI: I beg to move that for the words "as an arrear of land-revenue" wherever they occur in the Bill the words "as a public demand" be substituted.

Mr. L. R. FAWCUS: Sir, Government accept this amendment. They recognise that there is some ambiguity in the use of the words "as an arrear of land revenue," and accept the substitution of the words "as a public demand" wherever they occur.

The motion of Babu Kishori Mohan Chaudhuri was then put and agreed to.

Mr. PRESIDENT: The question is that clause 24, as amended by the Council, stand part of the Bill.

The motion was put and agreed to.

Clause 25.

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that after clause 25 (*iv*) the following shall be inserted, namely:—

"(*v*) that the industry has ceased to comply with the conditions and provisos laid down in section 21, provided that State aid shall not be discontinued for this reason until notice has been given to the owner of the industry calling upon him to satisfy the Government that the conditions of section 21 are being complied with and until after receiving any explanation given by the owner the Government is satisfied that the conditions or provisos in section 21 are not complied with by the industry at the date of the order."

This is not a substantial amendment. I take it to be a formal amendment in order to give effect to the Bill as it stands. I propose to add the above amendment.

Clause 25 provides for the local Government deciding to terminate aids on four grounds. I add another, namely, that the industry has practically ceased to be an industry which is entitled under section 21 to State aid. And I have also provided that the industry in question should have had an opportunity to offer an explanation to the Government before action is taken.

Mr. L. R. FAWCUS: I beg to oppose this amendment. As far as as I can see, it will have the distinct tendency to help Government to throw good money after bad by compelling it to suspend discontinuing State aid to a bad or moribund concern during the somewhat lengthy period of time which may well elapse while the owner of that concern is preparing and submitting his explanation. I do not think it is necessary to labour this point further: I therefore beg to oppose the amendment.

The motion of Dr. Naresh Chandra Sen Gupta was then, by leave of the Council, withdrawn.

Mr. PRESIDENT: The question is that clause 25 stand part of the Bill.

The motion was put and agreed to.

Clauses 26 to 30.

Mr. PRESIDENT: The question is that clauses 26 to 30 stand part of the Bill.

The motion was put and agreed to.

Clause 31.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: I move that the following consequential amendments be made in the Bill:—

(*a*) sub-clause (*j*) of clause 31 (*2*) shall be omitted.

(*b*) at the end of sub-clause (*p*) of clause 31 (*2*) the following words shall be added, namely:—

"and the manner of repayment of any loan or any sum guaranteed by the local Government referred to in that sub-section."

The motion was put and agreed to.

Mr. PRESIDENT: The question is that clause 31, as amended, stand part of the Bill.

The motion was put and agreed to.

Clause 1.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: I beg to that in clause 1, line 2, for the figures "1930" the figures "1931" be substituted.

I do not think any explanation is necessary for this amendment.

The motion was then put and agreed to.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: I beg to move that the Bengal State Aid to Industries Bill, 1931, as settled in Council, be passed.

I should like to take this opportunity to offer my thanks to the members of this Council who have helped us in piloting this Bill through this Council. I trust that by the passing of this legislation a great public demand has been met and we have taken a forward step towards the improvement of industries in this province.

Mr. NARENDRA KUMAR BASU: I would ask with your leave to offer our thanks to the Hon'ble Minister and to the Government for having brought forward this Bill at last.

The motion of the Hon'ble Khan Bahadur K. G. M. Faroqui was then put and agreed to.

The Garden Reach Municipality Bill, 1931.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to move for leave to introduce a Bill to provide for the exclusion of the Garden Reach area from the limits of the Corporation of Calcutta and to reconstitute the Garden Reach Municipality as a municipality under the Bengal Municipal Act, 1884.

The motion was put and agreed to.

The Secretary then read the short title of the Bill.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to move that the Garden Reach Municipality Bill be referred to a Select Committee consisting of—

(1) Mr. N. R. Luke,
(2) Rai Bahadur Dr. Haridhan Dutt,
(3) Babu Jitendralal Bannerjee,
(4) Dr. Naresh Chandra Sen Gupta,
(5) Mr. H. S. Suhrawardy,
(6) Maulvi Muhammad Saadatullah,
(7) Mr. P. N. Guha,
(8) Mr. D. J. Cohen,
(9) Seth Hanuman Prosad Poddar, and
(10) Mr. C. W. Gurner.

Sir, with your permission I would like to add the names of following gentlemen:—

(11) Maulvi Syed Jalaluddin Hashemy,

(12) Maulvi Abul Kasem,

(13) Mr. K. C. Ray Chaudhuri,

(14) Babu Gokul Chand Bural,

(15) Babu Satyendra Nath Roy,

(16) Khan Bahadur Muhammad Abdul Momin, and

(17) myself

with instructions to submit their report by the 1st November, 1931, and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

Mr. PRESIDENT: Have you taken their consent?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes.

Babu JITENDRALAL BANNERJEE: On a point of order, Sir. Should not these names come on in a short notice amendment?

Mr. PRESIDENT: I have been rather accommodating so far as Select Committees are concerned; but, if new names are to be added it is certainly better to bring them up through separate amendments.

Babu JITENDRALAL BANNERJEE: But this is the original proposal. So instead of putting in these names by moving an amendment the mover is asking us to accept these names. The other day some procedure was followed in this Council regarding official Bills. May I know if the same procedure will be followed to-day?

Mr. PRESIDENT: Yes, the same procedure will be followed to-day. But you must not forget that on that day I did permit the Hon'ble Minister to add certain names to the original list without insisting upon an amendment being moved. When at a later stage he asked me to consider more names I suggested that some one should bring in these names in the shape of an amendment and Mr. Gurner did so at my suggestion.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I shall read out all the names now:—

(1) Mr. N. R. Luke,
(2) Rai Bahadur Dr. Haridhan Dutt,
(3) Babu Jitendralal Bannerjee,
(4) Dr. Naresh Chandra Sen Gupta,
(5) Mr. H. S. Suhrawardy,
(6) Maulvi Muhammad Saadatullah,
(7) Mr. P. N. Guha,
(8) Mr. D. J. Cohen,
(9) Seth Hunuman Prosad Poddar,
(10) Mr. C. W. Gurner,
(11) Maulvi Syed Jalaluddin Hashemy,
(12) Maulvi Abul Kasem,
(13) Mr. K. C. Ray Chaudhuri,
(14) Babu Gokul Chand Bural,
(15) Babu Satyendra Nath Roy,
(16) Khan Bahadur Muhammad Abdul Momin, and
(17) myself.

I may remind the House that at the last session when Dr. Sen Gupta introduced his Bill for the separation of Garden Reach and also moved for taking it into consideration I moved, by way of amendment, that the consideration of the Bill should be postponed to enable the Government to consider the recommendations of the Goode Committee and promised to introduce a Bill, giving adequate relief to the rate-payers of Garden Reach. To-day I am in a position to redeem that promise.

The House is familiar with the history of the problem, the genesis of the agitation which led to the appointment of the special Committee in 1930. This Committee made several recommendations for the alleviation of the position and proposed that the Calcutta Improvement Trust should carry out improvements in Garden Reach with the assistance of a grant from the Calcutta Corporation and, if necessary, from the Government. On careful examination of the financial proposals as affecting the Calcutta Improvement Trust it was apparent that the Trust would be unable to undertake this extension of their activities without a recurring grant from Government which, in the present financial circumstances, it would be impossible for Government to make. At the same time it appears that the position reported on by the Committee can be remedied without detaching from Calcutta the dock area in Garden Reach which forms an integral part of the city of Calcutta

in its wider aspect. Government maintain that separation of the King George's Dock from the city would have been a retrograde step which could hardly be justified. In these circumstances Government have decided to legislate for the separation of Garden Reach excluding the Port area and restoring it to the position of an independent municipality under the Bengal Municipal Act which it lost on the passing of the Calcutta Municipal Act in 1923. All valuations made, rates and taxes imposed and all fees levied by the Corporation of Calcutta in respect of the Garden Reach area under Part IV of the Calcutta Municipal Act, 1923, shall be deemed to be cancelled and all rates, taxes, fees and tolls subsisting in that area at the commencement of the Calcutta Municipal Act, 1923, shall, so far as may be practicable, be deemed to have been duly restored under the Bengal Municipal Act, 1884, and such rate, tax, etc., shall continue to be levied till the Commissioners of Garden Reach Municipality change them.

It is clear that the newly formed Garden Reach Municipality with its normal resources under the Bengal Municipal Act will not be in a financial position to conduct its normal activities, or to maintain the amenities introduced by the Calcutta Corporation or to undertake capital improvements without assistance. Speedy improvement of Garden Reach, without undue hardship to its rate-payers, has been the main object of this Bill. The Calcutta Corporation will derive a large revenue from the Dock area but their expenditure on it will be only a small fraction of their income. It is in the interest of the dock that the undeveloped area in Garden Reach should be speedily improved; moreover, on the basis of geographical considerations and that the major portion of the dock area belonged to the old Garden Reach Municipality, it is only fair that the Corporation of Calcutta should be called upon to make a suitable contribution from their increased revenue from the King George's Dock area to the proposed Garden Reach Municipality. The Bill, therefore, provides for the grant of Rs. 2 lakhs per annum for a period of 30 years. Under section 90 of the Calcutta Municipal Act the Corporation has the statutory liability of spending Rs. 1 lakh annually in Garden Reach on works of improvement. This provision will be repealed. So that Calcutta Corporation will have to pay an additional sum of only Rs. 1 lakh to Garden Reach. One lakh out of these 2 lakhs will be earmarked for works of improvement, to ensure the development of the area. I have put a time-limit of 30 years, within which it may be reasonably hoped that Garden Reach will reach the level of Calcutta, and all objections to re-amalgamation to Calcutta will cease to exist.

3-45 p.m.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I should have been happy if I could congratulate the Hon'ble Minister on his change of

heart which I had predicted on the last occasion when I came up with my own Bill for the separation of the Garden Reach area from the Calcutta Corporation. Hon'ble member will remember that at that time I said that I was confident that the Goode scheme was impracticable inasmuch as Government could not be in a position to implement that scheme, and that, therefore, if Government were given a little time to consider my view of the matter, they would agree to the separation of Garden Reach from the Calcutta area. At that time, my hon'ble friend Rai Bahadur Dr. Haridhan Dutt proposed certain amendments for the purpose of taking away the King George's Dock area from Garden Reach. Well, I was afraid of that amendment. I wanted to be saved from friends like Dr. Rai Bahadur Haridhan Dutt. I said that I would rather go with the Hon'ble Minister than with Dr. Dutt, in the hope that if the Minister were to be converted at all, he would be converted to my side rather than to the side of Dr. Dutt. But I find that the Hon'ble Minister has chosen to go over to the side of my friend, the enemy. Well, Sir, I cannot look upon this proposed measure as satisfactory. Apart from details which I have not the time to consider at the present moment, the first point—the first principle—to which I object is that the separation of Garden Reach is not made possible at once by this piece of legislation: it is left to be achieved in the future. Just at the present moment the Government will appoint a committee to adjust the financial relations between the Calcutta Corporation and the Garden Reach Municipality to be reconstituted. After Government have had the report of that committee, they may by notification—that is the language used—separate the area of Garden Reach from Calcutta and constitute it into a new municipality. Well, Sir, in my Bill too, for which I do not take any credit, because it was a Bill which was passed by a Select Committee of the House, there was provision for a committee to adjust the financial relations between Garden Reach and Calcutta. But my proposal was that that committee was to sit after the municipality had been separated. That Bill sought to separate the Garden Reach area immediately, and the adjustment of the financial relations was proposed to be left over till some time later on, when the reconstituted Garden Reach municipality would have been in a position to look after its own interests and to discuss the matters affecting it with the Calcutta Corporation and the Government, as a corporate body. The difference between that proposition and the proposition in this Bill is that in the present case the committee is to sit and decide matters in the absence of the Garden Reach Municipality, which will not be in existence till much later. Further, there is this not unnatural apprehension that if the matter is postponed—if the separation is postponed—one does not know that the mind of Government will not change in the meantime. One also does not know that this attitude of Government will not change in the meantime. The conversion of the Government in the present instance

has come on account of financial stringency; it may equally well happen that through a wind-fall in the meantime the Hon'ble Minister or his successor may wish to push forward the Goode scheme. Well, Sir, everybody knows about a certain unmentionable gentleman who fell ill and wanted to be a saint and every one knows what became of him when he got well. Well, that is a sort of apprehension which is not altogether without foundation. That is the reason why we ought to insist upon the determination of the question of separation immediately by this legislation, instead of leaving it to be achieved on a future date by a notification of Government.

Then, Sir, the separation of the dock area is also a matter which I look upon with great misgivings. There is no reason whatsoever why the dock area should be separated from Garden Reach, no reason I have heard advanced which has any pretence to be a piece of sound reasoning, except the very sound and substantial reason that the dock area yields to the Corporation of Calcutta an income of five lakhs of rupees. Except that there is no reason in favour of the proposal of the separation, and there are very strong reasons why, if the Garden Reach area is to be separated, the dock area should remain within it. There is a strong reason why the dock area should remain within Garden Reach. The dock authorities will be very strongly interested in the area in which their labourers live. They will be interested in the sanitary conditions and amenities of the locality. If there are insanitary conditions in that locality—believe me, Sir, the conditions there are already very insanitary—it will affect the health of the dock, which may, in turn, affect international trade. Therefore, it is up to the dock authorities to ask that that area should be kept in a sanitary condition, and if the portion of the dock area which is now within Garden Reach be kept as it is, the dock authorities will have a great and effective voice in the administration of the Municipality which they will not have under the Bill as proposed. I, therefore, think that from the point of view of the dock authorities themselves it is important that the dock area should remain within Garden Reach. There is no reason whatever why the dock area should be separated, except perhaps that the Port Trust authorities think that it would hurt their *amour propre* were they to be associated with a backward municipality like the Garden Reach Municipality, instead of with a premier municipality like the Corporation of Calcutta. If the dock area is to be separated, adequate compensation ought to be paid to the Garden Reach Municipality. That is a principle which has been recognised, and the Hon'ble Minister has stated that it is necessary that the Corporation of Calcutta should make a fair contribution to the Garden Reach Municipality. Well, Sir, the amount of the contribution has been fixed by the Bill at Rs. 2 lakhs, out of which one lakh is to be ear-marked for the purpose of improving that area. Well, as to what the exact amount should be is a matter which should be decided by the Select Committee after

considering all the points. But it seems to me, that *prima facie* the attitude of Government in providing for a contribution of Rs. 2 lakhs only is reasonable. I think the Garden Reach Municipality ought to receive more liberal treatment. Having regard to the fact that a committee is to be appointed to look into the question of the financial relationship between the Garden Reach Municipality and the Corporation of Calcutta, this matter should have been left to that committee to decide. But, I think, having regard to the facts I have stated and to the fact that separation is not immediately made by this legislative measure but that it is left to a committee and to the notification by Government, as also to the fact that the dock area, which is the goldmine of the Corporation of Calcutta, is to be separated from the Garden Reach Municipality when reconstituted, I cannot support the proposal.

Rai Bahadur Dr. HARIDHAN DUTT: Sir, I rise to give my humble support to the Hon'ble Minister. Reference has been made to what I said and what I did on a previous occasion in connection with the Garden Reach Municipality. Sir, I cannot deny that I feel proud that the lead which I gave to the Council has been found acceptable to the Hon'ble Minister. I find that there are three principles involved in the Bill. The first is whether the Garden Reach area should be allowed to go out of Calcutta; the second is whether the dock area should be retained in Garden Reach or in Calcutta; and the third is what should be the financial adjustment between Calcutta and Garden Reach in case the latter is separated from Calcutta. My friend, Dr. Sen Gupta, should consider himself very happy and fortunate that Government have veered round to his view and accepted the principle of separation. After all, what is it? I must say that it is the acceptance of the popular voice which has been raised for the separation of Garden Reach during the last seven years. Instead of sticking to the principle of amalgamation of Garden Reach with Calcutta and turning a deaf ear to all protests, Government have now adopted the policy of separating Garden Reach from Calcutta. At the same time, we must confess that the principle of self-determination, if there is to be any meaning in it, must be equally applicable in every case. The people of Garden Reach clamour for self-determination, and so also the authorities of the dock area. May I ask Dr. Sen Gupta why the dock area should not be allowed to have the same principle applied to it and allowed to remain within Calcutta? I had an interview with the Chairman of the Port Commissioners, who impressed on me that there was a very strong feeling in the Port Trust against the dock area being separated from Calcutta. Sir, it is not for me to say what the feelings of other people are, but I think that if any Bill is to be passed and any change is to be made on the principle of self-determination, that principle should be applied to all interests.

Sir, we have noticed outside the Council large numbers of people from Garden Reach clamouring for separation. This amalgamation of Garden Reach with Calcutta was no doubt done in a great hurry. I was a member of this Council at that time, and I remember full well what took place. Originally, there was no such proposal, but all on a sudden somebody proposed the amalgamation, and it was done.

4 p.m.

The time has come when we should remedy this and what has been suggested by Government is on the proper lines. Let Garden Reach, which is clamouring for separation and which is actually suffering, go out of the Corporation of Calcutta. Let the authorities of the dock area, who are anxious to remain within Calcutta, be allowed to remain within the Corporation of Calcutta. The third point that I have noted is the question of financial adjustment between the Calcutta Corporation and the Garden Reach Municipality. If we separate the whole of Garden Reach and constitute it a separate municipality the matter will be different but we are actually taking away from the Garden Reach Municipality that portion which is a lucrative one. We are retaining the dock area within the Calcutta Corporation and asking the less important portion to go and form a separate municipality. Under these circumstances it is only fair that there should be proper financial adjustment. The Bill has taken that step by fixing a subsidy of Rs. 2 lakhs to be paid by the Corporation for 30 years to the newly formed Garden Reach Municipality. I do not know how the Hon'ble Minister has arrived at this figure of Rs. 2 lakhs but I presume he has based his calculations upon certain facts and figures of which we are not in possession. I personally feel it would be much better if a committee consisting of some representing the Garden Reach Municipality and some representing the Calcutta Corporation along with some representatives of Government saw and examined all the papers before a particular amount was decided upon. This fixing of Rs. 2 lakhs as a subsidy—at present I am not in possession of all the facts—seems to be rather low. My friend, Dr. Naresh Chandra Sen Gupta, has pointed out and the Hon'ble Minister has also said that the income from the dock areas will not be less than Rs. 7 lakhs. Again, one important point is that the Calcutta Corporation is under an obligation to spend Rs. 1 lakh for improvement works in Garden Reach. We are not in a position to say whether it will still stand if we leave out the dock areas from the Garden Reach Municipality. But all these are intricate points, and I do not want to take up your time by going into details over all these things. Many of us perhaps will not be able to follow them. I trust the whole matter should be placed before the Select Committee when all the financial points ought to be clearly examined and an amount fair to both sides arrived at. If the

Hon'ble Minister had left the fixing of the sum to a committee instead of putting down Rs. 2 lakhs, it would have been more desirable. That was my reason why on the last occasion I tabled some amendments for the consideration of this House. One of these amendments referred to a subsidy to be paid by the Corporation on the finding of the exact sum by the committee contemplated by the Bill. These are the important points which I have to point out. I once more congratulate the Hon'ble Minister on the step—I may say the bold step—which he has taken to allow people who are clamouring for separation to have it and to take a step for financial adjustment so that the Calcutta Corporation may not grumble.

Babu JITENDRALAL BANNERJEE: Sir, a little variety goes a great way. I do not remember to have received much assistance from our friend, Rai Bahadur Dr. Haridhan Dutt, when some of us were pressing for the separation of Garden Reach. But since the object itself has been achieved, and if it is any consolation to the Rai Bahadur to fancy that the Hon'ble Minister has been following in his footsteps I am prepared to give him all the credit that he wants.

As for the objections of my friend, Dr. Naresh Chandra Sen Gupta, I am constrained to observe that most of them are rather of an academic character. His first point that Government may not give full effect to the principle of the Bill is idle and chimerical. The Bill says that Government *may* separate Garden Reach; and from this he apprehends that the Government *may not* do it, if it does not choose to. Of course, from the point of abstract argument and theory, both alternative are equally possible: and if it is said of a public body that it may do a thing, the theoretic implication is equally clear that it may not do so. But Sir, there is such a thing as commonsense in these matters; and I would first ask my friend to consider the name, title, and preamble of the Bill. The preamble distinctly states that the Bill is for the purpose of separating Garden Reach and constituting it into a separate municipality; and if, after this express and explicit of their object, the Government gets the Bill passed and afterwards does nothing, it would be ridiculous folly, a piece of folly of which even this Government might well be ashamed.

The only substantial objection that Dr. Sen Gupta raises is with regard to the dock area. To my mind there is absolutely no valid reason why the dock area should be permanently incorporated within the Calcutta Corporation. But here we are up, not against theory but against solid facts. If the dock authorities, the Port Trust Commissioners, choose to break away from Garden Reach, there is no help for it, and I do not see how they can be dragooned into remaining within Garden Reach so very much against their will. In this

connection, I can only congratulate the Port authorities, who are the pillars of the European community, upon their new-found love for the Calcutta Corporation. I wish them joy of all the amenities which they enjoy under the present *regime* of that Corporation!

As regards the amount of contribution to be made to the new Garden Reach Municipality, I am at one with Rai Bahadur Dr. Haridhan Dutt. I do not know how the figure of Rs. 2 lakhs has been arrived at. At present the Calcutta Corporation is making a clear profit of Rs. 5 lakhs out of the dock area and within a very short time, within the next two years, this profit will rise to Rs. 7 lakhs.

Rai Bahadur Dr. HARIDHAN DUTT: Not a clear profit.

Babu JITENDRALAL BANNERJEE: Yes, yes, I know what I am talking about. The Corporation does not spend more than Rs. 1,25,000 on the Garden Reach area and that gives, or will give them shortly, a clear profit of Rs. 5 lakhs. Two lakhs out of seven is after all a very humble contribution. However, these are questions of detail that may be hampered out in the Select Committee; and, in the meantime, I have great pleasure in giving whole-hearted support to the Bill.

Babu SATYENDRA NATH ROY: I congratulate the Hon'ble Minister in bringing forward this Bill and thereby accepting the principle of restoration. As everybody is aware, in 1923, several municipalities suffered. And the Garden Reach Municipality was one of those municipalities which were included within the Calcutta Municipality, to the detriment and distress of the residents of those municipalities. My own municipality was deprived of half of its income. I hope in the Select Committee the principle would be discussed whether the whole of Garden Reach or simply the dock area should be separated from the Calcutta Corporation.

Khan Bahadur Maulvi AZIZUL HAQUE: I congratulate the Hon'ble Minister on his acceptance of the principle that after all the interests of rural and urban areas are the same. I am sure the congratulation we are giving him is due to the fact that he is convinced of the justness and fairness and equity of the cause that Garden Reach is agitating for for some time past. I myself had occasion with Maulvi Jalaluddin Hashemy to look into the affairs of the Garden Reach Municipality and I was astonished when I compared and contrasted the areas of Calcutta with that of Calcutta south. Calcutta has got its own system of valuation and it has been introduced in the case of this rural municipality most of whose lands are still undeveloped and lying fallow and mostly in a state which may be called uninhabitable. That is what constitutes the grievance of the Garden Reach Municipality that the

Calcutta Municipality has introduced a valuation there suitable only for big palatial buildings and not to a place like the Garden Reach Municipality with wide and scattered areas mostly inhabited by poor people. I think, Sir, if the Calcutta Municipality has to develop its areas to a wider Calcutta there is a limit also beyond which it cannot go.

As regards the question of financial adjustment and the inclusion of the dock areas within the Calcutta Municipality it is a matter, as my friend Mr. Bannerjee has pointed out, only of detail which can be settled in the Select Committee. I think the contention of Rai Bahadur Dr. Haridhan Dutt will also be open to examination by the Select Committee which will be able to find the actual amount that will be needed for payment to the Garden Reach Municipality by the Calcutta Corporation. On these grounds I support the motion for reference to Select Committee and we hope the Hon'ble Minister will pursuade Government as a whole to accept the points of view we have placed before him.

Maulvi ABUL KASEM: I join in the general chorus of congratulations on the Hon'ble Minister for introducing this Bill and I do it because I admire the courage he has shown in doing so. He has introduced this measure for the separation of the Garden Reach Municipality from the Calcutta Corporation against great odds and very influential opposition from strong parties but I am glad to find that the Hon'ble Minister has been able to take courage in both hands and stand by the poor against the rich and has attempted to do justice to the suffering people of Garden Reach. He has also at the same time accepted the principle of self-determination for which people in other places have been crying.

I do not want to say anything more beyond this but I hope the Hon'ble Minister will accept the suggestion of my friend Rai Bahadur Dr. Haridhan Dutt about ascertaining the actual contribution that is to be made by the Corporation of Calcutta to Garden Reach as the price of separation and I think that a reasonable settlement will be arrived at. But that is a matter of detail and the Select Committee can go into it. I hope Government will also help the Select Committee to find the exact figures that will be due to Garden Reach from the Calcutta Corporation.

Mr. PRESIDENT: Mr. Bannerjee, you wanted to move an amendment proposing the inclusion of the names of four additional members. Have you obtained their consent to serve on the Committee?

Babu JITENDRALAL BANNERJEE: I wanted very much to propose the inclusion of four additional names in the list of members

of the Select Committee. But those gentlemen are my esteemed and honourable friends; and I doubt how far I should be justified in exposing them to the insulting and injurious remarks of a man of the character and calibre of Mr. Secretary C. W. Gurner. If I knew that the Hon'ble Minister would deal with the matter himself I would take my chance; for whether the Hon'ble Minister agreed with my suggestion or not, I am perfectly sure that he would not have treated it with the offensive arrogance displayed by these permanent officials who, when they do address the House, affect an air of lordly superiority. I cannot help saying that the presence of these permanent officials, sure of their pay and prospects, and in no way responsible to this House, is an insult to the House; it is an anomaly which is possible only in the anomalous constitution under which we live.

Mr. PRESIDENT: What was the provocation?

4-15 p.m.

Babu JITENDRALAL BANNERJEE: Sir, day before yesterday certain names which were suggested for a select committee, but were objected to by the Government and rejected. Of course, there is nothing particularly wrong in names being proposed for a select committee and afterwards rejected. But in this case a certain discourtesy was displayed which ought to have been taken note of by the House.

Mr. PRESIDENT: Discourtesy of a particular official? Before I can permit you to criticise the conduct of a particular officer, I think, I should like to know what the case is.

Babu JITENDRALAL BANNERJEE: Sir, I have finished my remarks.

Mr. PRESIDENT: I think I am justified in telling the House that your action is not approved by the Chair. It may be very cleverly said by a particular member that he had finished what he had to say. But I think that unless and until your remarks are judged by the Chair and by the House as to whether those remarks were proper or not, the Chair is justified in saying that you are eluding the real issue, because your remarks could not be actually weighed in the balance.

Babu JITENDRALAL BANNERJEE: Before making this attack I gave fair notice to the member through the Hon'ble Minister that I was going to make these remarks. It is not my custom, it is not my way, to elude the issue.

Mr. PRESIDENT: I do not know what you said to the hon'ble member; but you have not told the House what the case is and the

House is entirely ignorant of it. In these circumstances, would you be justified in saying that the Chair should listen patiently to what you wish to say without protest.

Babu JITENDRALAL BANNERJEE: I do not, of course, presume to dictate to the Chair. But I have looked up Parliamentary procedure; and there I find that, if the member who makes an attack gives the other member notice of it, that is sufficient.

Mr. PRESIDENT: You attacked the permanent officials and not an individual member, and you are refusing to give out the facts of your case even when demanded by the Chair! I must observe that you levelled your criticisms at random.

Babu JITENDRALAL BANNERJEE: The first part of my attack was directed against an individual member; and I brought in the question of permanent officials only because it was his position as permanent official which gave him his opportunity.

Mr. PRESIDENT: The matter rests there.

Babu JITENDRALAL BANNERJEE: I would have liked to add the names of Mr. P. Banerji and Mr. Shanti Shekhareswar Ray to the list of members of the Select Committee. I have obtained their consent but have not forwarded the same in writing to the Secretary.

Mr. PRESIDENT: Then you are not serious about it.

Babu JITENDRALAL BANNERJEE: I am perfectly serious, but it is true that their consent has not been forwarded in writing.

Mr. PRESIDENT: But that is enjoined by the instruction in a circular.

Babu JITENDRALAL BANNERJEE: The instruction is not in the Rules, but in a circular issued from the office.

Mr. PRESIDENT: The instruction in the circular has got to be obeyed.

Babu JITENDRALAL BANNERJEE: Then, Sir, on a point of order regarding the applicability of rules. In the list of members of the Select Committee, I find the name of Mr. Gurner, an official. May I ask whether, in including the name of that official, the sanction of His Excellency the Governor was obtained, as required under section 54 of the Rules?

Mr. PRESIDENT: That is more than what I can say.

Mr. C. W. GURNER: On a point of fact, Sir, the sanction of His Excellency has not been obtained. But in the inclusion of the names of officials it has not been the ordinary custom to obtain His Excellency's consent.

Mr. PRESIDENT: But the point is whether there is any rule which says that the permission of His Excellency is required? Mr. Bannerjee will you please read out the rule and give your own interpretation of the same?

Babu JITENDRALAL BANNERJEE: Most gladly. There is a note under section 54 which says that the sanction of His Excellency is required.

The note is as follows:—"In the case of official members [other than the member of the Government referred to in clause (*1*) above] no name should be proposed unless it has been previously submitted to and approved by the Governor....."

Mr. PRESIDENT: Is that in regard to a private member's Bill?

Babu JITENDRALAL BANNERJEE: It is in regard to the constitution of Select Committees and no distinction is made between the Bills of private members or those of Government members.

Mr. PRESIDENT: Can the Hon'ble Minister throw any light upon the matter?

The Hon'ble Mr. BIJOY PROSAD SINGH ROY: I am sorry, Sir, that I cannot throw any further light on the matter. If the Governor's permission has got to be taken, this matter was not, as a matter of fact, laid before His Excellency. If that is the interpretation, I have to accept it.

Mr. J. CAMPBELL FORRESTER: Sir, this practice has been going on for some time and there is no reason why it should not be followed in the present case.

Mr. PRESIDENT: I find that it is merely a note and not a rule. It is very difficult for me to say how it came to be there. Probably it owes its origin to a particular ruling given by a particular President. In any case I do not think that it can have the binding force of a rule. In these circumstances I think that unless the Hon'ble Minister of his own accord gives up the name of Mr. Gurner on the objection taken by Mr. Bannerjee I would not insist upon his doing so.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I cannot give up the name of Mr. Gurner as he will be very helpful on the Select Committee; I cannot allow his name to be removed from the list of the Select Committee.

Babu JITENDRALAL BANNERJEE: I did not raise the matter on any personal ground, but on a broad question of principle. Certainly I admit that it is not a rule but a note. I am not so incompetent as not to know that. But the note must have been based on the direction of a past President on the ruling given by a past President. But, of course, it is true, and I perfectly realise that you, as President, can undo the ruling of a previous President, or can undo even your own ruling. However, so long as the note is there, the authority is there, I am justified in making my objection.

Mr. PRESIDENT: It is not a question of competency or incompetency. The point is that it is not a rule but a note. A rule has got to be obeyed as interpreted by the President.

Babu JITENDRALAL BANNERJEE: Is it your ruling, Sir, that if it is merely a note, it may be disregarded? That is to say, so far as we, non-official members, are concerned, we may disregard the note?

Mr. PRESIDENT: That will depend on the merits of each case.

Babu JITENDRALAL BANNERJEE: Then, since the direction about forwarding consent in writing is not in the rules, are we to observe that?

Mr. PRESIDENT: That is a circular issued by the Secretary under the orders of the President; so you have got to act up to it.

Babu JITENDRALAL BANNERJEE: Sir, may I be pardoned for observing, and I hope you will take no offence, it seems that the directions of the present incumbent have got to be obeyed, but the directions of past incumbents are mere notes and need not be obeyed?

Mr. PRESIDENT: What do you mean?

Babu JITENDRALAL BANNERJEE: What I say is that that note must have been based upon the direction given by a previous President.

Mr. PRESIDENT: A particular President might have given a particular ruling; but his successors cannot be tied down to it. The rulings of the man in power have certainly got to be obeyed.

Kumar SHIB SHEKHARESWAR RAY: Is it your ruling, Sir, that the note is to be deleted?

Mr. PRESIDENT: No, not till I have gone into the root of it.

Khan Bahadur Maulvi AZIZUL HAQUE: Will you, Sir, please request the Legislative Department to examine the matter in order to see how the note came to be there. That will certainly clear up the matter.

Mr. PRESIDENT: I would very much like to find out how it originated. It is certainly a matter for investigation.

Babu JITENDRALAL BANNERJEE: Then, Sir, it comes to this that you relax the restriction in this particular case.

Mr. PRESIDENT: Not exactly that. I do not see how it can be binding on the Hon'ble Minister. Mr. Gurner's name will, therefore, remain.

The following motion failed:—

Babu JITENDRALAL BANNERJEE to move that after the name of "Mr. C. W. Gurner" the following names be inserted, namely:—

"Maulvi Abul Kasem,
Maulvi Syed Jalaluddin Hashemy,
Mr. P. Banerji,
Mr. Shanti Shekhareswar Ray."

The following motions were called but not moved:—

Haji BADI AHMED CHOWDHURY to move that after the name of "Mr. C. W. Gurner" the following names be inserted, namely:—

"Khan Bahadur Muhammad Abdul Momin,
Mr. A. K. Fazl-ul Huq,
Maulvi Abul Kasem and
Haji Badi Ahmed Chowdhury."

Babu SATYENDRA NATH ROY to move that after the name of "Mr. C. W. Gurner" the following names be inserted, namely:—

"Babu Jatindra Nath Basu,
Mr. Narendra Kumar Basu, and
Babu Satyendra Nath Roy."

The following motions were not called as they were covered by the foregoing decision of the Council:—

Mr. NARENDRA KUMAR BASU to move that after the name of "Mr. C. W. Gurner" the following names be inserted, namely:—

"Babu Satyendra Nath Roy and

Maulvi Syed Jalaluddin Hashemy."

Maulvi TAMIZUDDIN KHAN to move that after the name of "Mr. C. W. Gurner" the following names be inserted, namely:—

"Maulvi Jalaluddin Hashemy, and

Khan Bahadur Muhammad Abdul Momin."

The following amended motion of the Hon'ble Mr. Bijoy Prasad Singh Roy was then put and agreed to:—

"That the Garden Reach Municipality Bill, 1931, be referred to a Select Committee consisting of the Hon'ble Mr. Bijoy Prasad Singh Roy, Mr. C. W. Gurner, Mr. N. R. Luke, Rai Bahadur Dr. Haridhan Dutt, Babu Jitendralal Bannerjee, Dr. Naresh Chandra Sen Gupta, Mr. H. S. Suhrawardy, Maulvi Muhammad Saadatullah, Mr. P. N. Guha, Mr. D. J. Cohen, Seth Hunuman Prosad Poddar, Maulvi Syed Jalaluddin Hashemy, Maulvi Abul Kasem, Mr. K. C. Ray Chaudhuri, Babu Gokul Chand Bural, Babu Satyendra Nath Roy and Khan Bahadur Muhammad Abdul Momin with instructions to submit their report by the 1st November, 1931, and that the number of members whose presence shall be necessary to constitute a quorum shall be five."

[At 4-30 p.m. the Council was adjourned for prayer and it reassembled at 4-45 p.m.]

NON-OFFICIAL MEMBERS' BILLS.

The Bengal Village Self-Government (Amendment) Bill, 1931.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to present the Report of the Select Committee on the Village Self-Government (Amendment) Bill, 1931, by Rai Bahadur Keshab Chandra Banerji.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, I beg to move that the Bengal Village Self-Government (Amendment) Bill, 1931, as reported by the Select Committee, be taken into consideration, and in doing so I desire to thank the members of the Committee for their labours and the help they have rendered me in connection with the Bill. I regret, however, to say that I had to submit a note of dissent on certain points which to my mind were of great importance in the interests of local self-Government. But, Sir, having regard to the fact that opposition to certain recommendations contained in the majority report

might result in delay in the passage of the Bill, I thought it prudent not to give notice of any amendments on the points on which I differed from the Select Committee and thereby spoil the chances of the other important provisions of the Bill going through.

I would, therefore, request this House to accept the majority report.

The motion was put and agreed to.

The following motions were called but not moved:—

Babu SUK LAL NAG to move that in clause 2 in proposed section 9A, lines 2 and 3, the words "not exceeding three months in any one year" be omitted.

Babu SUK LAL NAG to move that in clause 2 after proposed section 9A the following proviso be added, namely:—

"Provided that in the case of any union board having a Vice-President, the Vice-President shall fill the vacancy created by the absence on leave of the President."

Babu SUK LAL NAG to move that in clause 11 in proposed section 101A (2), lines 2 and 3, for the word "Commissioner," the words "District Board" be substituted.

Rai Bahadur KESHAB CHANDRA BANERJI: I beg to move that the Bengal Village Self-Government (Amendment) Bill, 1931, be passed.

The motion was put and agreed to.

The Calcutta Municipal (Amendment) Bill, 1931.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to present the Report of the Select Committee on the Calcutta Municipal (Amendment) Bill, 1931, by Rai Bahadur Dr. Haridhan Dutt.

Rai Bahadur Dr. HARIDHAN DUTT: I beg to move that the Calcutta Municipal (Amendment) Bill, 1931, as reported by the Select Committee, be taken into consideration.

The motion was put and agreed to.

Rai Bahadur Dr. HARIDHAN DUTT: I beg to move that the Calcutta Municipal (Amendment) Bill, 1931, be passed.

The motion was put and agreed to.

The Bengal [illegible] (Amendment) Bill, 1931.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to present the Report of the Select Committee on the Bengal Municipal (Amendment) Bill, 1931, by Rai Bahadur Keshab Chandra Banerji.

Rai Bahadur KESHAB CHANDRA BANERJI: I beg to move that the Bengal Municipal (Amendment) Bill, 1931, as reported by the Select Committee, be taken into consideration.

The motion was put and agreed to.

The following motion was called but not moved:—

Babu SATISH CHANDRA RAY CHOWDHURY to move that for clause 6 of the Bill the following shall be substituted, namely:—

"6. In section 271 of the said Act the figures 224 shall be omitted."

Rai Bahadur KESHAB CHANDRA BANERJI: I beg to move that the Bengal Municipal (Amendment) Bill, 1931, be passed.

The motion was put and agreed to.

The Bengal Local Self-Government (Amendment) Bill, 1931.

The following motion was called but not moved:—

MUNINDRA DEB RAI MAHASAI to move that the Bengal Local Self-Government (Amendment) Bill, 1931, be referred to a Select Committee consisting of—

the Hon'ble Minister in charge of the Local Self-Government Department,

Mr. C. W. Gurner,

Mr. H. S. Suhrawardy,

Khan Bahadur Maulvi Azizul Haque,

Mr. Surendra Nath Law,

Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,

Dr. Amulya Ratan Ghose,

Maulvi Abdul Hakim,

Babu Suk Lal Nag,

Mr. Syamaprosad Mookerjee, and

the mover,

with instructions to submit their report as soon as possible and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

The Bengal Agricultural and Sanitary Improvement (Amendment) Bill, 1931.

Maulvi ABDUL HAKIM: I beg to move that the Bengal Agricultural and Sanitary (Amendment) Bill, 1931, be referred to a Select Committee consisting of—

the Hon'ble Minister in charge of the Local Self-Government Department,

Dr. Sir Nilratan Sircar, KT.,
Munindra Deb Rai Mahasai,
Babu Jitendralal Bannerjee,
Dr. Naresh Chandra Sen Gupta,
Maulvi Abdus Samad,
Maulvi Syed Majid Baksh,
Maulvi Syed Jalaluddin Hashemy,
Maulvi Abdul Hamid Shah,
Sir Lancelot Travers, KT., C.I.E., O.B.E.,
Mr. Syamaprosad Mookerjee, and
myself,

with instructions to submit their report before the 31st July, 1931, and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

The names of Mr. B. C. Chatarjee and Maulvi Abdul Karim have been omitted, because they are absent. I have taken the permission of all the other members and they are willing to serve on the Committee.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to move that the following names be added to the Select Committee proposed by Maulvi Abdul Hakim:—

Mr. C. W. Gurner,
Rai Bahadur Keshab Chandra Banerji, and
Khan Bahadur Maulvi Alimuzzaman Chaudhuri.

The motion was put and agreed to.

The following amended motion was then put and agreed to:—

"That the Bengal Agricultural and Sanitary Improvement (Amendment) Bill, 1931, be referred to a Select Committee consisting of the Hon'ble Minister in charge of the Local Self-Government Department, Dr. Sir Nilratan Sircar, KT., Munindra Deb Rai Mahasai, Babu Jitendralal Bannerjee, Dr. Naresh Chandra Sen Gupta, Maulvi Abdus Samad, Maulvi Syed Majid Baksh, Maulvi Syed Jalaluddin Hashemy, Maulvi Abdul Hamid Shah, Sir Lancelot Travers, KT., C.I.E., O.B.E., Mr. Syamaprosad Mookerjee, Bar.-at-Law, Mr. C. W. Gurner, Rai Bahadur Keshab Chandra Banerji, Khan Bahadur Maulvi

Ahmuzzaman Chaudhuri and Maulvi Abdul Hakim with instructions to submit their report before the 31st July, 1931, and that the number of members whose presence shall be necessary to constitute a quorum shall be five."

5 p.m.

The Calcutta Municipal (Amendment) Bill, 1930.

Dr. NARESH CHANDRA SEN GUPTA: On a point of order. May I ask what would be the fate of my not moving the motion now? May I not move it later on in the session?

Mr. PRESIDENT: Two Bills which are substantially identical cannot be taken up in the same session.

Dr. NARESH CHANDRA SEN GUPTA: It was for the separation of Garden Reach from Calcutta that I put in my motion. As a Government Bill having the same purpose has been referred to a Select Committee, I do not propose to move mine till that Bill is disposed of.

Mr. PRESIDENT: That is so.

Kumar SHIB SHEKHARESWAR RAY: May I inquire if the Hon'ble Minister was in order in bringing in a Bill on the same subject when this Bill was before the House? Is it in order to allow a Bill on the same subject to be brought forward before the House?

Mr. PRESIDENT: This Bill was no doubt before the House, but the House did not commit itself to the principle of this Bill. It was not dealt with, but if the principles of a Bill, which is substantially identical, are accepted, it is easy to see that the other cannot be taken up. This is in accordance with Parliamentary procedure and our section 39. The mover must wait till that Bill is disposed of.

Kumar SHIB SHEKHARESWAR RAY: That was not my point. I want to know whether Dr. Sen Gupta's or the Government Bill would be taken up. The two Bills cannot go together. Dr. Sen Gupta's Bill was moved earlier than the Government Bill and is already before the House.

Mr. PRESIDENT: It was simply introduced but the House did not commit itself to its principles as it has done in respect of the principles of the other Bill. Mere introduction of a Bill cannot tie down the House to it.

The following motion, standing in the name of Dr. Naresh Chandra Sen Gupta, was called but not moved:—

"That the Calcutta Municipal (Amendment) Bill, 1930, be taken into consideration."

The Bengal Cattle Bill, 1931.

The following motion was called but not moved:—

MUNINDRA DEB RAI MAHASAI to move that the Bengal Cattle Bill, 1931, be referred to a Select Committee consisting of—

the Hon'ble Minister in charge of the Agriculture and Industries Department,
Mr. L. R. Fawcus,
Maharaja Jagadish Nath Ray, of Dinajpur,
Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,
Mr. Sarat Kumar Roy,
Maulvi Abdul Hakim,
Maulvi Abdus Samad,
Haji Badi Ahmed Chowdhury,
Babu Suk Lal Nag,
Mr. Shanti Shekhareswar Ray, and
the mover,

with instructions to submit their report as soon as possible and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

The Bengal Municipal (Amendment) Bill, 1931.

The following motion was called but not moved:—

MUNINDRA DEB RAI MAHASAI to move that the Bengal Municipal (Amendment) Bill, 1931, be referred to a Select Committee consisting of—

the Hon'ble Minister in charge of the Local Self-Government Department,
Mr. C. W. Gurner,
Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,
Dr. Amulya Ratan Ghose,
Mr. Sarat Chandra Mittra,
Mr. R. Maiti,
Mr. H. S. Suhrawardy,
Maulvi Abdul Hakim,
Babu Satish Chandra Ray Chowdhury,
Babu Prafulla Kumar Guha,
Babu Satyendra Nath Roy,
Rai Keshab Chandra Banerji Bahadur, and
the mover,

with instructions to submit their report as soon as possible and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

The Calcutta Municipal (Amendment) Bill, 1931.

The following motion was called but not moved:—

MUNINDRA DEB RAI MAHASAI to move that the Calcutta Municipal (Amendment) Bill, 1931, be referred to a Select Committee consisting of—

the Hon'ble Minister in charge of the Local Self-Government Department,
Mr. C. W. Gurner,
Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,
Mr. P. Banerji,
Mr. H. S. Suhrawardy,
Babu Jitendralal Bannerjee,
Mr. Shanti Shekhareswar Ray,
Mr. Syamaprosad Mookerjee, and
the mover,

with instructions to submit their report as soon as possible and that the number of members whose presence shall be necessary to constitute a quorum shall be three.

Kumar SHIB SHEKHARESWAR RAY: Sir, what would be the fate of these motions? Can they not be moved on any other day?

Mr. PRESIDENT: No, not in this session.

The Bengal Jute Bill (II), 1930.

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the Bengal Jute Bill (II), 1930, be referred to a Select Committee consisting of—

the Hon'ble Khan Bahadur K. G. M. Faroqui,
the Hon'ble Mr. Bijoy Prasad Singh Roy,
Mr. L. R. Fawcus,
Dr. Sir Nilratan Sircar, KT.,
Mr. Narendra Kumar Basu,
Khan Bahadur Maulvi Asizul Haque,
Rai Keshab Chandra Banerji Bahadur,
Mr. Satish Chandra Ray Chowdhury,
Maulvi Syed Nausher Ali,
Maulvi Nur Rahman Khan Eusufji,
Mr. C. G. Cooper,
Mr. J. Campbell-Forrester, and
myself,

with instructions to submit their Report within 30th September, 1931, and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

I want to make the position with regard to this motion clear to this House as I apprehend that there is some misunderstanding. I am asking this House to consent to the reference of this Bill to the Select Committee and in doing so I ask for their approval to the principle of the Bill and not to any details of the Bill. The principle of the Bill which I insist upon is that a machinery should be provided by which the cultivators will be in a position to regulate their production of jute in any year with reference to the world market. The machinery which I have sought to provide by the Bill is that there should be a central jute board which should consider the whole situation and decide upon the amount of restriction or expansion of the area to be cultivated with jute. At any rate when they have decided that they are to communicate their decision to union boards which will frame village schemes showing the exact reductions of the area to be made and showing the fields to be cultivated with jute. That is the machinery which I have sought to provide but I do not stick to any portion of it. I do not insist that the Council should recognise this machinery as inviolate. I want the Select Committee to go into the whole question of organisation and arrive at whatever decision they think fit and make a report to the Council. So the Hon'ble Members will not take it that in giving their assent to the principle they are committing themselves to the constitution of the machinery which is sought to be provided by the Bill. I say this as some exception has been taken in some of the opinions which have been received from bodies to whom the Bill was circulated that the union board was not a satisfactory body through which the work can be done. On that matter I am open to correction. If the union board is not satisfactory and if an independent local committee or village committee would be more satisfactory, or some other machinery is provided, I have not the slightest objection to accept that machinery. That is the first point I shall ask the hon'ble members to remember. I am not asking them to commit themselves to the constitution of the entire machinery.

Exception has been taken in some of the opinions which have been received also to the constitution of the central jute board. With regard to that also I am willing to leave the whole matter to be discussed and reported upon by the Select Committee but these are not questions of principle, these are questions of detail. The only question is whether in the first place the cultivation of jute should be restricted or regulated with reference to the world demand and in the second place whether for the purpose of enabling cultivators to regulate the production of jute a machinery should be set up by which the conditions of the world market would be communicated from time to time to the cultivators by a definite and regular procedure so as to enable the village people to regulate their cultivation. I submit that with regard to this there can be no two opinions. There can be no two opinions that the cultivation of jute ought to be regulated. If you refer to the report of the Agriculture

Department you will find that although they congratulate themselves on the large production of jute (I am speaking about the report of the last year), still they realise that over-production is an evil and the people have got to be educated to restrict production. Government have recognised that the cultivation of jute has to be restricted and this year the Government have started and carried out a propaganda for restriction supplementing, I should say, the propaganda carried out by the people themselves as well as the lessons learnt from the disaster of the present year. The whole trouble has arisen from the fact that the cultivators went on, in spite of Congress propaganda over wide areas against extensive cultivation of jute, cultivating jute without reference to the world market, and they thus produced a large quantity of jute which cannot be absorbed by the market. That is the reason of the present disaster.

5-15 p.m.

Well, that makes it clear that there must be some organization. I am glad that I am supported in this view by the opinion of no less an authority than the *Statesman*. The *Statesman* in its editorial of November 6, 1930, says "..... .....It should not be beyond the wit of some giant of commerce to draw up a scheme under which the growing of jute at a remunerative price should be regulated in accordance with the probable requirements of the mills, which, in their turn, would manufacture with close regard to the demand for sackings and the requirements of the bazar." Well, I do not claim to be a giant of commerce, and I cannot claim that the scheme which I have formulated for this identical purpose is flawless or even as efficient as I think it to be. But the supreme need of the moment, the need to which attention has been drawn by the widespread disaster amongst the agricultural classes—in fact, amongst all classes in Bengal—is to establish this organization which would surely and certainly enable the people to regulate the output of the main source of wealth of this province in such a manner that these catastrophies may not occur in the future. It is no doubt true that no amount of human ingenuity would be able to prevent accidents. No one could prevent the collapse of the world market; that depends on world factors which cannot possibly be determined. There are unforeseen accidents more or less in the nature of cataclysms, against which no provision can be made by human ingenuity, but barring these extraordinary accidents, having regard to the normal course of trade, it is, I think, possible to frame schemes for production with reference to the future market. It is not only possible, but it is exactly what is done by organised business-men all the world over. It is what was done and what is done by the jute-mills who regulate their output of the cloth, with reference to the expected demand of the world market. That calculation may prove erroneous once in a time, but that calculation has

enabled the jute-mills to earn huge profits in the past, although they may have had to suffer for one year or so due to miscalculation. Well, Sir, all that I ask you to assent to is to refer the matter to the Select Committee for the purpose of considering the scheme for regulating the production of jute, and, if possible, improving upon it. That is all that I ask you to assent to.

Now, I shall only remind you of the general outlines of the scheme. You will find—hon'ble members will find—that clause 3 provides for the constitution of a central jute board. It will be found that on this central jute board the officers of Government who are responsible for the working of the Department of Agriculture have been represented. Bodies or persons who have to deal with the manufacture of or trade in jute have been represented, and although the agriculturists have not been represented directly, provision has been made, which, in my judgment, ought to make it possible for persons to be returned to the board, who will represent the interests of the agriculturists. It is necessary that all these different bodies should put their heads together to devise and work out a scheme. Now, this body considers the condition of the market. If you look to clause 7 you will find that information regarding the total area of the land in the Presidency cultivated with jute in a particular year, the total outturn of jute in that year, the total of the surplus stocks of jute held over from the previous year, the total quantity of jute sold in that year up to the date of statement, and the estimated total demand for the new crop in the following year, will be communicated to the members. After considering all these things, this body will frame a scheme. At this stage I should like to meet a difficulty which has been raised by some members, viz., that it is not possible to estimate the total demand for the new crop in the ensuing year. Well, I do not say that the members of the board which I have proposed will be a body of astrologers or soothsayers, so that they will be able to give an absolutely accurate estimate. But an estimate has got to be made. An estimate is made by commercial people, by the jute-mills, etc., before they proceed to work, as a basis for the ensuing year. I do not want that the agriculturists should be provided with an estimate which will be more correct than the estimate on which the jute-mills work. What I do want is that the agriculturists should be provided with the knowledge and estimate which are required for business purposes. It may be wrong, but it cannot be far wrong. A scheme for the production of jute can easily be framed. Now, Sir, when a provincial scheme is framed, I have provided for its publication under clause 9 and for the consideration of any objection to it under clause 10. When those objections have been considered and a scheme is framed laying down that the total output for the next year should be reduced, say, by 1/2 or by 1/3, or by any other percentage, or that the total output may safely be increased by so much, that scheme then goes to the village bodies—the union boards. The

House will notice one thing, viz., that the proportion of the produce of the acreage of one year to the acreage of the next year is fixed by a central body. That is a proportion which cannot be altered by the union board in framing their village scheme. The union board frames a village scheme with reference to the map of the land and fixes the necessary proportion for cultivation except in very exceptional cases. I have also provided for a voluntary scheme for obtaining the consent of the cultivators. So I submit that much of the apprehension which has been expressed as regards the abuse of powers by union boards is groundless. Safeguards have been provided in the Bill which will make it impossible for union boards to abuse their powers. They will have their jute register, so that each man's cultivated land will be shown in the register. They will also have the benefit of the provincial scheme, which will fix the proportion of acreage for jute. In these circumstances, I think that there is not much reason to apprehend any abuse of powers on the part of the union board.

I have not been able to provide for compulsory restriction because I did not get the necessary assent for making such provision. Sir, even without such compulsion, I am confident that if such a scheme, which lays down concretely how much land is to be cultivated, is brought to the knowledge of the cultivators, it cannot fail to have a tremendous effect. I have had something to do with the propaganda for the restriction of jute, and I have been to the villages and talked with the cultivators. They are by no means fools. They have a clear conception as regards these matters, and they fully realize the situation, and if the whole thing is pointed out to them, they will act accordingly.

Besides that I have made provision for rules by means of which it will be possible to carry matters further. One of the ways in which restriction can be carried into effect is by forming voluntary organisations of cultivators themselves. The union boards may from such voluntary associations in each of the villages for the purpose of seeing that the scheme is carried out. These voluntary associations can do a great deal. And I am sure that if this much is provided that the approximate requirements of next year's market will be communicated to the cultivators in proper time, and if the machinery is provided for collective action by the cultivators, they will do the needful and regulate the cultivation with reference to the demands of the market. It has been pointed out, and I myself have recognized in the Statement of Objects and Reasons that the quantity of jute produced depends upon other factors than acreage, such as whether conditions, etc. These are matters which have to be taken into consideration, but if you look at the statistics of the output of jute over a large number of years, you will be surprised to find that there is very little variation in the output per acre on account of weather conditions.

5-30 p.m.

That being so the reduction of acreage would go a great way to solve the question of regulation of production. I hope that I have satisfied members' doubts and that I have made out a fair case for consideration of this Bill by a Select Committee. I submit that, having regard to the considerations which I have placed before this Council there can be no doubt that there is a fair case for consideration of the proposal. I would ask the members of this House to remember that it is a question of life and death to us to do something to prevent the huge waste of wealth that has happened this year and which may happen from year to year. It has been estimated, not by me, Sir, an agitator, not by persons who have no right to have an expert knowledge upon this matter, but by a gentleman who is said to be an authority in Clive Street in the columns of the *Statesman* that the cultivators of jute this year have lost 20 crores of rupees owing to the fall in the price of jute; that is a thing which might have been prevented if we had started some sort of organisation two years ago when from the report of the Agricultural Department it was quite evident that there was growing over production of jute. It is true, perfectly true, that the abnormal conditions of this year have been caused by the great depression in the world market and by abundance of production. But all the same if we had taken care betimes, the extent of the calamity which this trade depression has caused might have been considerably reduced. And as a result this trade depression which has affected not only cultivators but every class of people who have anything to do with the country, would not have been so sorely felt. The zamindars, *mahajans*, traders and Government, every one has been hard hit by this fall in the price of jute, a fall which might not have been completely preventible but was certainly preventible to a great extent. It cannot be questioned now that organisation and rationalisation of production is a controlling factor in the economics of jute and what I am asking you now in my Bill is to rationalise the production of jute on the lines of what has been done in other countries.

The Hon'ble Khan Bahadur K. C. M. FAROQUI: Sir, I have every sympathy with the object aimed at in Dr. Sen Gupta's Bill which is to improve the price of jute. But, Sir, the slump in jute is one of the effects of a worldwide trade depression which has at the same time brought about a collapse in the prices of all other commodities. I am afraid, Sir, that the Bill now before the House would not, by any means, assist in achieving the object that Dr. Sen Gupta has in view.

This is, Sir, supported by most of the opinions which have been expressed as a result of the circulation of the Bill and which are

against the measure. It has been said that if there ever was a proposal to interfere with the freedom of individual right, it is stamped on the very face of the Bill now before the House, and that the scheme envisaged by the Bill is wholly impracticable and is one which could never, even under the most favourable circumstances, be made effectual. The idea of the compulsory restriction of the cultivation of jute by means of legislation has evoked disapproval to give power to union boards in this connection. Apprehensions have been felt that legislation on the lines suggested is calculated to lead to many evils. Fear has also been expressed that were the sowings to be controlled and were the economic conditions to turn out to be such as to upset all the calculations of the controlling body, the whole industry might be involved in a serious disaster from which it might never recover. I am sure, Sir, the House will agree that these apprehensions are by no means groundless. On the other hand, Sir, there is much to be said in support of the suggestion that an intensive propaganda should be carried on in rural areas by both official and non-official agencies with a view to the restriction of the cultivation of jute. As a matter of fact, Sir, it is only this year that we did not carry on such a propaganda for the restriction of the area, and I am glad to be able to say that as a result of our propaganda the preliminary forecast of the Director of Agriculture estimates the total area under jute this season at not more than 54 per cent. of the area under the crop last year. This experience, Sir, emboldens me in the hope that we can still do much by this method and also fortifies me in my objection to any legislation of the kind now contemplated. I do not see why we should seek to do by means of a legislation what we can get done voluntarily by means of persuasion. Moreover, as is well known, three provinces including our own are concerned in this problem. The Government of India have, therefore, taken up the question of setting up by means of legislation, which they shortly intend to undertake, a Central Committee which will be charged with the duty of looking after the interests of the jute industry from the field to the factory. And, I submit, I would suggest that Dr. Sen Gupta might wait and see what they do or say in the matter. In the circumstances, Sir, I do not think any useful purpose will be served by a further consideration of this measure, and I trust that the Council will not agree to the motion to refer the Bill to a Select Committee. On behalf of Government I oppose the motion.

Mr. PRESIDENT: The speech of the Hon'ble Minister indicates that he is on the warpath and I, therefore, propose to split up Dr. Sen Gupta's motion into two parts. The first part would be whether this Bill should be referred to a Select Committee or not. If that is carried, the second part, dealing with the personnel of the Select Committee, will be taken up, otherwise not.

Mr. C. C. COOPER: Sir, I rise to oppose the motion. But in opposing the motion I cannot help admiring the great industry that Dr. Sen Gupta must have imposed on himself and the midnight oil that he must have burned in producing his Bill, which, however, is the work of a theoritical idealist, not that of a practical man. The Bill, according to the Statement of Objects and Reasons, "seeks to provide an organisation by which the production of jute may be so adjusted as to maintain as high a price-level of jute as may safely be kept up". I imagine that Dr. Sen Gupta has in his mind the wheat pools in America and Canada, the coffee pool in Brazil, and the cotton pool in Egypt, all formed with the idea of bolstering up on an uneconomic basis the price of raw materials! Sir, a jute pool would share the same disastrous fate.

The Bill contemplates the creation of a Central Jute Board for the purpose of regulating and controlling the production of jute and advising Government on matters relating to production and marketing. To this end the Bill provides that the Central Jute Board shall meet in the early part of the year and, with the information placed at its disposal by the Director of Agriculture, shall prepare a provincial scheme determining the total area of land to be sown with jute during the ensuing year. It is proposed that the scheme for the regulation of production should be carried out through the agency of union boards or, in areas where there are no union boards, by village jute boards to be constituted by Government. That, briefly, is the purpose and intention of the Bill.

In the Statement of Objects and Reasons, the Member-in-charge writes "although I am satisfied that in the long run, to secure the compliance of villagers to the village scheme, some measure of compulsion will be necessary, no such provision has been embodied in the present Bill and it is contemplated that Government will make rules providing a procedure for securing voluntary compliance of the cultivators in the villages." I cannot recall having before seen such a frank confession, on the part of the framer of a Bill. While realising that its object cannot be secured without some measure of compulsion, he provides no machinery; on the contrary he places upon the Government the onus of evolving a procedure which will secure voluntary compliance. In the opinion of all reasonable men I submit that any measure framed upon this basis stands self-condemned.

The jute interests consulted by the Bengal Chamber of Commerce have one and all declared their opinion to be that the scheme envisaged by the Bill is wholly impracticable and is one which could never, even under the most favourable circumstances, be made effectual. The main ground of opposition to the Bill in general, is one of principle, namely, that provision is made for arbitrary interference with the internal organisation of the trade and with the

right of the cultivator to grow whatever crops he likes, in whatever quantity he considers best. In this respect, the Bill is opposed to public policy. It is also in the opinion of those consulted by the Chamber, opposed to the best interests of the trade on more than one account. In the first place, the abitrary control of production gives additional scope to speculative manipulators and in this connection fear has been expressed lest the measure should result in official recognition being given to "futures" markets. On this point the Calcutta Baled Jute Shippers' Association points out that in its experience the huge bear operations on the future market have probably much to do with the low prices of jute, as the future market fixes prices ahead, irrespective of supply and demand. In the second place the Bill is considered to be opposed to the best interests of the trade because it deals only with the area under cultivation, ignoring other important factors such as climatic conditions. The framer of the Bill himself recognises this weakness in the scheme, but contents himself by stating that "having regard to the fact that the outturn of jute per acre has varied within narrow limits owing to extraneous causes, the regulation of the area cultivated with due regard to the prospects of the market is nevertheless expected to furnish a sufficient security against over-production as well as against undue restriction to the detriment of the people's interests".

Now, Sir, the acreage under jute has certainly varied but the question of weather has had more to do with the variation in acreage than the price of jute. I have been connected with the jute industry for many years and my experience is quite contrary to the extraordinary statement made by Dr. Sen Gupta that the effect of climatic conditions on the growth of jute is practically nil. Such a statement betrays Dr. Sen Gupta's lack of practical knowledge of the jute trade! Dr. Sen Gupta overlooks the very great fear that, were sowings controlled in any particular season and were climatic conditions to turn out to be such as to upset the calculations of the controlling body the entire industry might then be involved in a serious disaster from which it might never recover.

These are the general objections which have been offered to the scheme. The trade considers that the economic value of jute cannot, or should not, be artificially controlled in the manner suggested, with entire disregard to the principles of barter and exchange which are governed by supply and demand. I have already referred to practical experiments taking place in other countries to overcome the difficulties involved in climatic conditions which may bring on a disaster on this trade. That is why the trade also considers that the marketing of the crop should be left to those with a knowledge of, and with a definite stake in, the business.

5-45 p.m.

The Bill seeks to provide for an organisation by which the production of jute may be so adjusted as to maintain a high price-level, but provides no financial machinery. Dr. Sen Gupta wishes to call the tune but he does not say who is to pay the piper! How does he propose to finance his scheme which tends to increase the cost of production, always an object to be avoided in the interests of any trade?

Sir, the Bill is a crude measure which cannot possibly be placed on the Statute Book, as I am quite convinced that no Select Committee nor half a dozen Select Committees could ever convert the Bill into a practical measure! For this reason I move its rejection.

Maulvi TAMIZUDDIN KHAN: Sir, it is with a good deal of regret that the *proja* party has decided to oppose the Bill which Dr. Naresh Chandra Sen Gupta proposes to go to a Select Committee. The reason for the regret is obvious. We all see what havoc has been created in Bengal on account of the fall in the price of jute and it is the desire of all to see that measures be taken to increase the price of jute; but, Sir, the question is whether the Bill introduced by Dr. Sen Gupta is at all a practical measure. The Bengal raiyat has many grievances and his lot is already too miserable. If a Bill like this finds place in the Statute Book, I think it will bring still more misery to him, because, under it the last vestige of freedom will be lost to him. Of course, I must congratulate Dr. Sen Gupta on the honest attempt that he has made to devise a scheme which might do some good to the cultivators of this province, and I think, even if this motion is not carried he should not be discouraged. He can yet take stock of the various opinions which have been expressed by the different bodies on this Bill and can perhaps draw up a more practical measure in future. Dr. Sen Gupta thinks that if a machinery is set up which could control the production of jute, all the miseries of the cultivators will be at an end.

Dr. NARESH CHANDRA SEN GUPTA: I have not said so.

Maulvi TAMIZUDDIN KHAN: Practically Dr. Sen Gupta seems to have said so. I think, Sir, that it will be of some benefit no doubt, but whether the measure is at all a workable one is the question. Dr. Sen Gupta says that so far as the machinery he has suggested is concerned, he is prepared to leave the whole matter to the Select Committee for alteration as it likes. He also says that so far as the question of the Board is concerned, he is also prepared to leave the whole matter to the consideration of the Select Committee. Sir, these are good suggestions, but I think that if the Select Committee is allowed to change the Bill as suggested, it would no longer be the Bill

of Dr. Naresh Chandra Sen Gupta but something like the proverbial *booklet* with all its component parts replaced.

Dr. NARESH CHANDRA SEN GUPTA: Does it matter?

Maulvi TAMIZUDDIN KHAN: But will the Select Committee be really able to improve it in any manner? I think as Mr. Cooper has said, no Select Committee could improve upon the Bill or could give it a shape which might be considered practical. Dr. Sen Gupta has referred to some observations made in the *Statesman* that some giant may be expected to come up to solve this great problem of Bengal. I think there are jute experts in Bengal and there are some jute experts in this House too who have derived immense benefit from this produce of Bengal, but so far no giant has come forward, and I do not know if actually any one will come up in the near future. I think the hon'ble members to my left would seriously consider the matter and try to bring forward a measure which might be considered practical. Mr. Cooper says this Bill is not practical and all must agree with him, but our grievance is that the commercial interests, who have derived greatest benefit from jute, have hitherto been of no help to the cultivators. To my mind, Sir, the panacea of the evil from which the cultivators suffer will not be found if only a machinery for the control of production is set up. I think such an organisation is necessary as can control the jute market, that is the prices of jute, in the interests of the producers and until and unless we can find out such a machinery, there is no body on earth who will be able actually to help the cultivators. No doubt, reduction of the area of cultivation and the restriction of production is of some help, but that cannot under all circumstances be the real solution. We have seen from the jute forecast this year that the area under cultivation is about half of the previous year and so the produce also will not be more than half, it will perhaps be much less, because the crop this year is not at all prosperous. But what do we see about the prices? We see that the prices instead of being higher than those of the last year are decidedly lower. That shows that mere reduction of the area under cultivation is not the remedy. What we want is power in the hands of the raiyats or their friends, to control the prices of jute. If there was a machinery in Bengal like what exists in Australia for example, which, I hear destroys all surplus production and only sends to the market that amount of the produce for which there is a good demand. If such a machinery can be created here then only the market can be controlled and proper prices can be secured for jute. With these words, I oppose the motion of Dr. Sen Gupta to refer the Bill to a Select Committee.

Maulvi MUHAMMAD SAADATULLAH: Sir, I rise to oppose the amendment to refer the Bill to a Select Committee. I do not think

that legislation on this matter is necessary. If we go on legislating in matters like this, the result will be a revolution in domestic organisation. At the present time there have been diverse difficulties in the way of the people; in fact, paddy is not selling at a fair price and my friend will require another Bill to legislate for restricting the production of paddy; land is not selling at a fair price and so another Bill will be necessary for legislating on the restriction of selling land. So you will find if you go on legislating in such a fashion, the result will be there will be no end of legislation. In the present Bill I find absolutely no suggestion which could produce a good result. My friend has enumerated some suggestions, but I do not find that any of the sections will be fruitful or will advance the object which he has in view. My friend has absolutely got no support to the principles of the Bill; therefore I do not like to have it referred to the Select Committee. It is not only our view but there have been opinions from different quarters against the provisions of the Bill and also against the Bill itself. Dr. Sen Gupta is relying on the authority of the *Statesman*, but he has not cared to analyse the opinions that have been expressed by those who will be directly affected by the measure. Various district boards and municipalities and other associations have disapproved of the provisions of the Bill and also the Bill itself; and in fact they have disapproved of any legislation whatsoever on this matter. I have read their opinions. There have been some people who are in favour of it, but they have suggested amendments which go to mutilate the Bill altogether, in fact out of recognition. It would in fact mean a separate Bill altogether modelled upon the lines suggested by the various associations and district boards.

Then, Sir, we find the provisions of the Bill to be quite impracticable and in fact no fruitful result will be attained by accepting the provisions. Then we find there has been a suggestion that a portion of the duties of the Board should be left to the union boards. The suggestion made for the representation of the municipal areas is not adequate; in fact, I do not think that the representation would be absolutely useful. Then we find that there has been no calculation made as to what will be the world demand and Indian demand. If we cannot at all come to any conclusion as to what will be the world demand in future years, we cannot legislate with any precision as to the area which should be placed under jute cultivation. With these observations, I oppose the Bill as well as its reference to a Select Committee.

Dr. Sir NILRATAN SIRCAR: Mr. President, Sir, I think the matter is being discussed from different standpoints. Unfortunately in abnormal times, and I take it that the present is an abnormal time, the interest of the trade is bound to clash with those of production.

Mr. C. C. COOPER: Why?

Dr. Sir NILRATAN SIRCAR: The trade whose generosity has been very well tested in the last few years, particularly during the war, has not given much in the shape of help to the poor producers of jute. That is an open fact. I need not remind the House of those days. Even now I know the trade is not stretching out its helping hand to any great extent to lift up the poor cultivators. Sir, it is not an unknown principle in the world of economics that matters should be regulated by restrictions of production. I need only remind my friends on the other side of the House that this principle they have been taught in the matter of tea as actually practised—also in the matter of coal as actually practised. We hear to-day of compulsion to which many people were subjected by the measures that were adopted by the authorities, whoever they might be in these matters.

6 p.m.

It is not unknown here. We appreciate the fact. We must all have a capacious brain like that of Hoover and also a large heart like that gentleman. We must feel this thing from different standpoints and we must try to identify ourselves with the interests of the cultivators and also with the interests of the traders. Both classes are necessary. Now that is our object, that trade should prosper and that production should prosper. Is it impossible, for this object, to form a small committee or a board for the purpose of considering the needs of the cultivators? The question as regards the principle that has been advocated by the other side leaves it to the rule of supply and demand. In these days no captain of a vessel leaves his ship to the mercy of the winds and waves. Circumstances are so complicated nowadays in every matter in the case of a national agricultural industry like jute, where crores and crores of rupees are involved, that the matter should have a chance. Here is a proposal to put the brains of Bengal—the combined brains of Bengal—to consider. My friend is not extensive in his choice. The composite brains of Bengal ought to be able to think out ways and means for helping the poor cultivators who, left to chance and to the rule of supply and demand, are on the point of extinction. It has been said it will not be tried. If it is not tried, the question is, there are some words which have rather a bad meaning—the word compulsion. My friend admits that there is some compulsion, but the object of the movement is not compulsion. It is to think out a question which is very complicated. This question is becoming more and more complicated every day on account of the introduction of a new factor into it and to make them understood by those who are primarily concerned, by a sort of propaganda work, teaching them what is to be done. Isolated cultivators are not likely to know whether

1,00,000 bales are likely to be consumed this year or next year and so on. There are many other things. It must be admitted that it is not impracticable. In fact, if such hopes exist in other countries, I do not see any reason why they should not be here. Compare America and other countries who had wonderful schemes for the produce of cotton. They regulate the cultivation of cotton every year. Take Australia for wheat. Every country regulates cultivation of its national products. Why should it be impossible for Bengal? Why should it be impossible for India, I do not understand. On the other hand, I feel that if we are here to try to give relief to my people, to my brothers in the fields and in the cottages, it is our duty to help them in this matter. It is our sacred duty to let them know the way, and the direction, in which matters are drifting. There are those who might think that we are against keeping them agriculturists. That is not our proposition at all. We want that they should remain agriculturists, that is, they should produce these things which are in fact practically a monopoly of Bengal. But all the advantages that we have got in that monopoly are being destroyed by the reckless, careless and irresponsible way in which the upper strata of the brains of Bengal, the Legislative Council, including the Government, are mismanaging this affair. I think it is high time that a step like this should be taken.

Sir LANCELOT TRAVERS: The last speaker has reminded us of our duty to the raiyat, and to the farmers, of this province. Mr. President, if for one moment I myself and my group believed that this Bill would help the raiyat, we should do our utmost to pass it into law. It is not a question of sympathy. We have all sympathy with the raiyat and all who are producing raw material from the soil at such a time as this.

The hon'ble member who has just sat down stated that the interests of the grower, and of the manufacturer, of jute, must be antagonistic. But that is not a fact. Although jute only grows in Bengal, yet jute manufacturers have to compete with those in other countries, and a large crop of cheap jute in Bengal means that the competitor in Germany and elsewhere has far more chance of competing successfully with the Bengal mills. Therefore in this peculiar case of jute, the interests of the grower and the manufacturer are the same. Moreover, surely the question before us is not a question of local application at all. It is a question of world economics. The present grave problem is that all raw products, in terms of gold, have fallen into an abyss—not only jute but paddy, tea, rubber and wheat. The factor that we should deal with if we were able, is gold. In terms of gold, as priced by gold everything that is produced from the soil has fallen to an

extent unknown in our time. Gold is the main factor of trouble. There is not sufficient for circulation, and it is that side of his motion that requires attention.

The earlier speaker has referred to restriction on other industries. In my own industry it was a hopeless failure, and also in rubber. If I may remind Dr. Sen Gupta the attempt to restore the price by restriction, of jute, may in fact even lower that figure. The market position may force the mills to work even shorter hours than at present, and a crop restricted on the present days' work, may in fact become far too large.

I am in favour of restriction, but not by these means. There is but one way and that is by the members of this House, by all the educated people of this country teaching the cultivators, and combining with Government to educate them about restriction.

Khan Bahadur Maulvi AZIZUL HAQUE: I would like to reply to one or two points. Sir Nilratan Sircar has said that we must assist the cultivator, and must have an Act to enable us to do so. If I am tempted to reply to him, it is not because I have much respect for him, but I honestly feel that a proposition such as is contained in this Bill is absolutely unsuitable in present economic conditions. It is perfectly true, that we should try and effect some restriction in production, but that is not economic. He has cited the example of tea and he is speaking here of an industry which is controlled by a few. It is possible to control the production of tea, but in the case of jute, which is in the hands of many, it is not possible to control its production. I think that when my friend Mr. Sen Gupta was asking us to refer the Bill to a Select Committee he thought it would be possible to change the machinery into such a shape that it would not be distinguishable. Certainly, on a reference to Select Committee, we can insist on the principle that the control will be done by the Central Board with the help of an Imperial Board. Subject to this restriction, things might be changed. Unless you do this, it will not be possible to find some other agency which will help to give effect to the provisions of the Bill. I fully realise that something ought to be urgently done to control over-production. We seriously and honestly consider that this piece of legislation for dictating from the top is against the interest of the rural areas. We feel that if the whole thing is under the control of a central board, they will endeavour to look after the interests of the raiyats.

6-15 p.m.

The Central Jute Board will not be able to look to the interests of the raiyats. That is obvious, because most of the members may not be open to conviction and our experts seem to have most diverse views on

economic matters. My friends and myself are in perfect agreement in one matter, namely, that something should be done for the poor cultivators. Our first duty is to find out the reason for this over-production. There is certainly over-production of jute, but what is it due to? It is due to the activity of the Agriculture Department. I think if the activity of the Agriculture Department could be curtailed a bit (as it has been done), I am sure this over-production will cease. I may remind the House of one fact and in this I think my friends will agree with me that we ordinarily know human nature being what it is. When prices run high, people naturally go for over-production. A propaganda for restriction of cultivation of jute may be carried out. I stated year before last that the Director of Agriculture was successful with only Rs. 24,000 to arrange for a free distribution of seeds. Do you expect that the cultivators will not take advantage of the free seeds of the Chinsura Farm and *kakia bombai* jute? For the last 20 years the Department of Agriculture had been educating the cultivators about the value of these seeds, and I certainly congratulate the Minister that this part of the activity of the department has been considerably reduced. I throw the whole blame for this over-production on the Agriculture Department and its activity in the past. Last year and year before last I was surprised to find officers of the Agriculture Department carrying on a propaganda in favour of jute saying that jute could be made a profitable crop. You will be surprised to find that land full of *kankar* and stone was also experimented with jute by the Agriculture Department. I pointed out to them that their activities would bring about over-production. Sir Nilratan Sircar, I think, has explained the real position and I hope the Minister in charge of the Agriculture Department will be kind enough to look to it, as each one of us is convinced that there is over-production. Some remedy must be found out, but what that remedy should be? I would suggest in agreement with Sir Nilratan Sircar that instead of referring the matter to the Select Committee, Government appoint a committee of three or four members to find out the remedy in good time. It will have to find out a policy, a remedy on the basis of the education or rather propaganda which were carried out in the past. I, therefore, oppose the suggestions put forward by my friend and its reference to the Select Committee.

Maulvi SYED JALALUDDIN HASHEMY: I had no mind to speak on this subject at this late hour of the day, but now I feel that if I do not speak on the subject, I shall be failing in my duty.

I can understand the meaning of opposition of Mr. Cooper in what he said. I can understand that a man of his temperament, as President of the Indian Jute Mills Association, should naturally oppose such sort of legislation, because I know and many of the members of this

House perhaps also know that even the other day by one single stroke of pen the Indian Jute Mills Association have done away with the services of thousands of labourers of the Indian jute mills. I can also understand the meaning of opposition of Sir Lancelot Travers, because he, as President of the Bengal Tea Planters' Association, cannot but oppose this sort of legislation. But I was really surprised when I heard Maulvi Tamizuddin Khan, who is the Secretary of the Bengal *proja* party, oppose the Bill saying that it was going to be a burden to the poor tenants. May I ask him what the *proja* party as a whole, consisting of Khan Bahadur Azizul Haque, Khan Bahadur Abdul Momin, Khan Bahadur K. G. M. Faroqui, have done for the amelioration of the conditions of the poor jute-growers of Bengal? Do they not know that millions of the tenants are in a very sad plight and are starving?

Sir LANCELOT TRAVERS: On a point of order, Sir. Is the member entitled to bring in personalities in his attack?

Maulvi SYED JALALUDDIN HASHEMY: We have got information that the *proja* party have done nothing to improve the condition of the *projas*.

Maulvi TAMIZUDDIN KHAN: Sir, is it relevant to question whether the *proja* party have done anything for the jute-growers in the past?

Mr. PRESIDENT: I quite agree with Sir Lancelot that the speaker should not indulge in personalities; but it is impossible to prevent him from attacking a party which is opposed to the principle he is advocating.

Maulvi SYED JALALUDDIN HASHEMY: Sir, may I know what is the principle of the *proja* party? So far as I know, they have done nothing for the benefit of the tenants.

Mr. PRESIDENT: You need not refer to that any more.

Maulvi SYED JALALUDDIN HASHEMY: The motion of my friend Dr. Naresh Chandra Sen Gupta is to refer the Bill to a Select

Committee and if the Bill is not profitable or helpful, it can be made so by amending or altering the provisions to suit the best interests of the *projas*. I find no reason to oppose the Bill at this stage and ask the *proja* party to reconsider the matter and support the motion of my friend Dr. Naresh Chandra Sen Gupta.

Babu KISHORI MOHAN CHAUDHURI: I thought that a measure to find out the means for restricting the cultivation of jute would not be opposed by the *proja* party as it is for the benefit of the cultivators that this piece of legislation has been brought forward. I understand the anxiety of the sellers and buyers; while one is anxious to get as much as he can, the other is anxious to buy as cheap as possible. But I cannot understand the attitude of the *proja* party. It is admitted that steps must be taken to stop over-production. If that be so, this Bill aims at that and suggests that this should be done with the help of union boards. I come from a district which is a jute-growing district. I know that Government help is not available in enlightening the raiyats as to what extent they should grow jute and in what way they should utilise their land for other paying crops. In my district there is a great deal of sugarcane cultivation. Producers of that crop could not get sufficient money in other years, but during the last two years they were much benefited as they were suffering on account of over-production of jute. It must be ascertained what should be a paying crop. For the sale of jute we depend upon foreigners. We must know what is the demand and what quantity of jute can be sold with profit. If we know that, we can control and regulate jute cultivation. So it is absolutely necessary that the raiyats should be given to understand how much they will be able to sell and how much land they should be prepared to reserve for jute cultivation and how much for other paying crops. I wonder that the *proja* party which has been formed for the benefit of the raiyats should stand in the way of doing this very simple thing. If the raiyats combine and form co-operative societies, they can keep some quantity of jute in stock and sell that when the market is high. For that I believe no legislation is necessary, but legislation is necessary to make the raiyats understand the real condition of the market.

6-30 p.m.

The Agricultural Department encourage jute cultivation knowing full well that this will not be to the benefit of the cultivators. Why should they do that? Last year, there was no demand, and the raiyats suffered much and there was great difficulty in disposing of their produce. Of course, this year something has been done to mitigate their

hardship, but that is not enough. In the interior—in the villages—how can the raiyats know the situation? If there is some organisation, if there is some association, which can collect facts and which can give a lead to the raiyats, then they can enlighten the raiyats in all matters.

Sir, in my district *ganja* is cultivated. It is a very profitable crop, but the Government control is there; they restrict the cultivation. Government do not allow the cultivators to grow as much *ganja* as they desire. They issue licences, and cultivation is regulated by those licences. There is a co-operative society which advances some money, and it sells away the *ganja* in the best way it can. Why should not this be done in the case of jute? Societies can be formed which can ensure the sale of stock and they can advance money, when available, to the poor raiyats to meet their ordinary demands. I think, Sir, that the proposed measure is entirely on the right lines, and it is high time that steps should be taken to lead the raiyats in a proper way and not to mislead them. There are various other crops which can be dealt with in the same way. Take, for example, sugarcane. It can be grown with great profit to the raiyats. If they are properly guided, they can be benefited greatly in their ordinary occupation. It is our duty, it is the duty of Government, it is the duty of the Legislative Council, to make arrangements for the proper enlightenment of the raiyats. It is well known that they are ignorant, they do not read newspapers, they simply depend upon the talks of others; so the question is: How to educate them, how to teach them? What arrangement is there for the purpose? Can anybody say that the activities of the department are quite sufficient for the purpose? We must make some attempt in this direction. It is said that the remedy proposed will not be sufficient to educate the raiyat as to the way in which he should cultivate his land. If it is not sufficient, some other measure must be proposed. If we are agreed that there should be restriction in the cultivation of jute, then proper arrangements should be made to impress this on the cultivators. So I think that it is high time that something ought to be done, and I hope that the leader of the *proja* party will consider whether they should oppose the measure or support it. The matter will be considered by the Select Committee, and if it is considered desirable to make any change, that can easily be done. But I submit that you should not throw out the Bill, knowing full well that something must be done to ease the situation. With these words I support the motion.

Mr. D. J. COHEN: I move that the question be now put.

The motion that the question be now put was put and agreed to.

The first part of the motion of Dr. Naresh Chandra Sen Gupta, viz., that the Bengal Jute Bill (II), 1930, be referred to a Select Committee, was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Chaudhuri, Babu Kishori Mahan.
Choudhury, Maulvi Nural Absar.
Eusufji, Maulvi Nur Rahman Khan.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Mookerjee, Mr. Syamaprasad.
Poddar, Seth Hunuman Prasad.
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Hosani.
Roy Choudhuri, Babu Hem Chandra.
Samad, Maulvi Abdus.
Sen Gupta, Dr. Naresh Chandra.
Sircar, Dr. Sir Nilratan.

NOES.

Ali, Maulvi Syed Nausher.
Austin, Mr. J. M.
Baksh, Maulvi Shaik Rahim.
Baksh, Maulvi Syed Majid.
Bal, Babu Lalit Kumar.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chowdhury, Haji Badi Ahmed.
Chowdhury, Maulvi Abdul Ghani,
Clark, Mr. I. A.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Das, Babu Satyendra Kumar.
Dash, Mr. A. J.
Faroqui, the Hon'ble Khan Bahadur K. G. M.
Faweus, Mr. L. R.
Gangali, Rai Bahadur Sunil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Mr. P. N.
Gurney, Mr. G. W.
Hakim, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hosain, Nawab Musharruf, Khan Bahadur.
Kasem, Maulvi Abul.
Kerr, Mr. W. J.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Amin-uz-Zaman.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Luke, Mr. N. R.
Macalister, Mr. A. S.
Marr, the Hon'ble Mr. A.
Miller, Mr. C. C.
Mitter, the Hon'ble Sir Provash Chunder.
Mullick, Mr. Mukunda Behary.
Momin, Khan Bahadur Muhammad Abdul.
Nazimuddin, the Hon'ble Mr. Khwaja.
Nelson, Mr. J. W.
Norton, Mr. H. R.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. G. R.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur-
Ray, Babu Amulyadhan.
Reid, Mr. R. H.
Roy, Babu Haribansa.
Ray, Mr. Saileswar Singh.
Ray, the Hon'ble Mr. Bijay Prasad Singh.
Saadatullah, Maulvi Muhammad.
Sarkar, Sir Jadunath.
Sarker, Rai Sahib Rebati Mohan.
Shah, Maulvi Abdul Hamid.
Solaiman, Maulvi Muhammad.
Stronach, Mr. K. F. G.
Travers, Sir Lancelot.

The Ayes being 18 and the Noes 61, the motion was lost.

Mr. PRESIDENT: As the first part of the motion is lost, I need not put the second part.

I may remind the House that the election of members to the Public Accounts Committee will take place at 2-30 p.m., to-morrow.

Adjournment.

The Council was then adjourned till 3 p.m., on Friday, the 24th July, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Friday, the 24th July, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 107 nominated and elected members.

Starred Questions

(to which oral answers were given).

River Police.

*46. **Rai Bahadur KESHAB CHANDRA BANERJI:** Will the Hon'ble Member in charge of the Police Department be pleased to state showing separately for 1928-29, 1929-30 and 1930-31—

(*i*) the cost of maintaining the River Police in this province;

(*ii*) the number of river dacoities committed in every district of Bengal; and

(*iii*) the number of river dacoities detected by the River Police in each district?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice):

(*i*) 1928-29—Rs. 2,64,890.

1929-30—Rs. 2,70,315.

1930-31—Rs. 3,09,298.

(*ii*) There are at present two divisions of the River Police, viz., Meghna and Barisal divisions, and they operate in the six districts shown below. The number of river dacoities within the area patrolled by the River Police during the past 3 years is as follows:—

	1928.	1929.	1930.
Mymensingh	..	2	..
Dacca	..	1	3
Tippera	..	4	7
Faridpur	1	..	2
Bakarganj	3	2	1
Khulna	3	..	1
Total ..	7	9	14

No information is available regarding river dacoities in other districts of the province.

(*iii*) None. The River Police are purely a patrolling force and do not investigate cases. Their work is confined to the prevention of crime on the rivers.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state the reason for the gradual increase in expenditure on the River Police as shown in answer (*i*)?

The Hon'ble Mr. W. D. R. PRENTICE: I ask for notice.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether this increase in expenditure is due to increase in the force and their establishment?

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether it is to be presumed that there have been no river dacoities in districts other than those mentioned in answer (*ii*)?

The Hon'ble Mr. W. D. R. PRENTICE: I have already given figures for the years 1929 and 1930 for some districts.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether having regard to the fact that there have been no river dacoities in some districts since 1928 Government contemplate the abolition of the force in those districts?

The Hon'ble Mr. W. D. R. PRENTICE: The premise is wrong.

Babu SATYENDRA KUMAR DAS: Will the Hon'ble Member be pleased to state whether the cost is commensurate with their utility?

The Hon'ble Mr. W. D. R. PRENTICE: Certainly.

Grant to the Carmichael Medical College and Hospitals.

*47. **Mr. B. C. CHATTERJEE:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether any action has been taken regarding the assurance of the Government to increase, as early as possible, the recurring grant to the Carmichael Medical College and Hospitals, on the strength of which assurance, a resolution to the effect was withdrawn by the Revd. B. A. Nag at the last August session of the Council?

(*b*) If no action has yet been taken, what are the reasons?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) and (*b*) An assurance was given that the application for an increased grant to the Carmichael Medical College would be favourably considered when increased financial resources for the Medical Department become available in the budget. No funds have yet been found for new recurring expenditure.

Advances from the Government of India for Bengal administration.

*48. **Babu KISHORI MOHAN CHAUDHURI:** Will the Hon'ble Member in charge of the Finance Department be pleased to state—

(*i*) what amount of advance has been taken from the Government of India up to the 31st March last for meeting the ordinary purposes of the Bengal administration;

(*ii*) what amount of advance shall have to be taken during the current year;

(*iii*) what steps have been taken or are proposed to be taken for the repayment of the aforesaid advances; and

(*iv*) what steps are proposed to be taken for meeting the ordinary expenses of administration?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. A. Marr): (*i*) None. The year closed with a credit balance.

(*ii*) As at present estimated, temporary advances, aggregating Rs. 1,13,41,000 may have to be taken in 1931-32.

(*iii*) The advance being temporary will be repaid as soon as the revenues come in.

(*iv*) The matter is under the consideration of Government.

Dr. NARESH CHANDRA SEN GUPTA: With regard to answer (*iv*) will the Hon'ble Member be pleased to state if the question of retrenchment is being considered by Government?

The Hon'ble Mr. A. MARR: Yes.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member be pleased to state whether it is contemplated to appoint a Retrenchment Committee on the lines of other provinces?

The Hon'ble Mr. A. MARR: The matter will come under consideration by this House in connection with resolutions on the subject and a decision will be arrived at after that.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether the fact that no Retrenchment Committee has been appointed is due to the fact that this year closed with a credit balance?

The Hon'ble Mr. A. MARR: No.

Babu AMULYADHAN RAY: Will the Hon'ble Member be pleased to state how long it will take to appoint a Retrenchment Committee in Bengal?

The Hon'ble Mr. A. MARR: I have already said that no decision has yet been arrived at.

Witness sheds in Chittagong courts.

***49. Haji BADI AHMED CHOWDHURY:** (*a*) Is the Hon'ble Member in charge of the Revenue Department aware—

(*i*) that in Bengal in almost all district courts except the Chittagong Court there are separate houses specially kept as resting places for the witnesses, which are also used for auction sale;

(ii) that in Chittagong, Government has to erect temporary sheds on sale occasions at least six times a year; and

(iii) these sheds afford insufficient accommodation to the public who suffer in addition from rains and scorching rays of the sun?

(b) Are the Government considering the desirability of erecting a permanent house for the purpose? If not, why not?

(c) If the financial condition stands in the way now, are the Government contemplating doing it when better time comes?

(d) Is it not a fact that the penalty realised in 1930 will cover the expense of such a house if erected?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (a) (i) In some districts there are witness sheds.

(ii) A shed is erected twice or thrice a year.

(iii) The accommodation is not sufficient.

(b) and (c) No, as no such proposal has been received by Government.

(d) Yes, but the receipts cannot be appropriated for departmental expenditure.

Maulvi SYED MAJID BAKSH: With reference to answer (iii), will the Hon'ble Member be pleased to state if any step will be taken to increase the accommodation?

The Hon'ble Sir PROVASH CHUNDER MITTER: No. We have not got any proposals now before us and our finances are not ample.

Realisation of arrear rents from the jotedars of Baharbund, Rangpur, by certificate procedure.

***50. Kazi EMDADUL HOQUE:** (a) Is the Hon'ble Member in charge of the Revenue Department aware that the jotedars (tenure-holders) of Baharbund under the Kasimbazar Raj Wards estate in Rangpur passed at several meetings at various places in the month of May, 1931, within the subdivisions of Kurigram and Gaibandha, resolutions urging Government to take steps for the immediate cancellation of the orders issued in favour of the Kasimbazar Raj Wards estate adopting certificate procedure in realising arrear rents, in view of the present unprecedented economic distress and the peculiar nature of tenancies held by them?

(b) If so, what action, if any, do the Government contemplate taking in the matter?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) Yes.

(b) Government do not propose to cancel the orders referred to, and do not consider any other action is necessary, as certificates are issued only if the jotedar is a habitual defaulter or if rent is about to be barred by limitation.

Orders granting certificate procedure to Kasimbazar Wards estate for realising rents from jotedars of Baharbund, Rangpur.

*51. **Kazi EMDADUL HOQUE:** (a) Has the attention of the Hon'ble Member in charge of the Revenue Department been drawn to the great hardship and endless troubles the jotedars of Baharbund in Rangpur are undergoing in paying the certificate dues, for the reason that each of them holds big tenancies under the Kasimbazar Raj Wards estate bearing big annual rental and pays rent to the estate after collecting the same from the raiyats under them, amicably or by protracted rent suits?

(b) If so, do the Government propose to take any action to give effect to any of the resolutions passed by these jotedars in May, 1931?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) Certain resolutions and proceedings of meetings held by the jotedars of Baharbund in May, 1931, have been brought to the notice of Government.

(b) Government do not propose to cancel the orders granting certificate procedure to the Kasimbazar Wards estate nor to stop the cadastral survey operations.

Amendment of Cess Act.

*52. **Maulvi TAMIZUDDIN KHAN:** (a) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether the Government are contemplating an early amendment of the Cess Act with a view to repeal certain unsatisfactory provisions, particularly those regarding the assessment of so-called cess tenures created by the Act?

(b) Is the Hon'ble Member aware of a feeling agitating the public mind for some time over this matter?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) Government are contemplating a general amendment of the Cess Act.

(b) No.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Member be pleased to state whether Government expects to introduce a Bill at the next session of the Council?

The Hon'ble Sir PROVASH CHUNDER MITTER: I do not think so; in view of the economic condition of the province we are going slow. When Government in the Revenue Department are ready with such a Bill steps will be taken to consult members of this House who take interest in the question.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether he can give an approximate idea when such a Bill is likely to be introduced?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have nothing to add to my answer.

Imperial Library, Calcutta.

*53. **MUNINDRA DEB RAI MAHASAI:** Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table the correspondence between the Government of India and the Local Government relating to the grant by the Government of Bengal to the Imperial Library, Calcutta?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No: permission to publish has not been given by the Government of India, and it is not considered necessary to ask for such permission.

MUNINDRA DEB RAI MAHASAI: Will the Hon'ble Minister be pleased to state whether there is any objection to publish this correspondence as we are all anxious to know this?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have nothing further to add.

Faridpur railway station.

*54. **Rai Sahib AKSHOY KUMAR SEN:** (*a*) Will the Hon'ble Member in charge of the Public Works (Railways) Department be pleased to state what steps (if any) have been taken by the Railway authorities since February last for the construction of an well-equipped railway station at Faridpur?

(*b*) Is the Hon'ble Member aware that the Faridpur public have been suffering for a long time for want of a suitable railway station?

(*c*) Are the Government considering the desirability of moving in the matter?

MEMBER in charge of PUBLIC WORKS (RAILWAYS) DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) and (*b*) The member is referred to the concluding portion of the reply given to starred question No. 69 on the 16th February, 1931.

(*c*) Government recognize the desirability of providing a suitable railway station at Faridpur, but regret that they are unable to press the matter in view of the present financial conditions of the railway.

Rai Sahib AKSHOY KUMAR SEN: Will the Hon'ble Member be pleased to state for how many years Government have been recognising the desirability of providing a suitable railway station at Faridpur?

The Hon'ble Mr. A. MARR: So far as I remember, for a good many years.

Rai Sahib AKSHOY KUMAR SEN: Is the Hon'ble Member aware that His Excellency the Governor of Bengal, during his visit to Faridpur in the year 1929, in reply to an address given to him, told us that funds would be provided in the budget of 1930 for the construction of a railway station at Faridpur?

The Hon'ble Mr. A. MARR: I am not aware.

Rai Sahib AKSHOY KUMAR SEN: Will the Hon'ble Member be pleased to state whether Government think it desirable, in view of His Excellency's statement I have referred to, that Government will at least press for the construction of a suitable railway station as soon as the financial condition of the railway improves?

Mr. PRESIDENT: I do not think Mr. Marr need answer this question. I cannot allow the questioner to influence the judgment of the Hon'ble Member by taking His Excellency's name. I do not think it is proper to do so.

Ministerial officers at the Chittagong Munsif courts.

*55. **Rai Bahadur KAMINI KUMAR DAS:** Will the Hon'ble Member in charge of the Judicial Department be pleased to state the names of the ministerial officers, specially Bench clerks, at the Chittagong Munsif courts, serving at present in the same chowki for over 3 years with reasons for such a long service in any particular place?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): A statement is placed on the table.

The transfer of ministerial officers is at the discretion of the District Judge: clerks other than Naxirs and Accountants are not usually transferred, unless exigencies of service require it. Naxirs and Accountants are transferred after a continuous service of five years.

Statement referred to in the answer to starred question No. 55, showing the names of ministerial officers who are serving for more than three years in the different munsifs of the Chittagong district.

	Name of officer.	Designation.	Number of years they have served in their posts.
1	Babu Nishi Chandra Baul.	Sheristadar, 1st Court, Sadar ..	5 years 8 months.
*2	M. Nur Ahmed ..	Bench Clerk, 1st Court, Sadar	12 years 6 months.
3.	Babu Barada Kumar Sen.	Record Clerk, 2nd Court, Sadar	11 years.
4.	Babu Ramani Mohan Biswas.	Bench Clerk, 2nd Court, Sadar	10 years.
5.	M. Mataher Ahmed ..	Record Clerk, 2nd Court, Sadar	About 4 years.
6.	M. Badiar Rahaman ..	Ditto ..	4 years.
7.	Babu Subimal Lala ..	Ditto ..	Ditto.
8.	Babu Phani Bhusan Das.	Record Clerk, 3rd Court, Sadar	6 years.
9.	Babu Prafulla Chandra Sen.	Record Clerk, 4th Court, Sadar	5 years 6 months.
10.	Babu Barada Charan Sen.	Bench Clerk, 4th Court, Sadar	5 years 6 months.
11.	M. Faraq Ahmed ..	Sheristadar, Fatikcheri Court	4 years.
†12.	Babu Girish Chandra Biswas.	Bench Clerk Fatikcheri Court	10 years.
13.	Babu Kshirode Chandra Barua.	Accountant, Fatikcheri Court	3 years 6 months.
14.	M. Aminar Rahaman ..	Record Clerk, Fatikcheri Court	About 4 years.
‡15.	Babu Gobinda Chandra Dhar.	Bench Clerk, North Raozan Court.	12 years.
16.	Babu Jatindra Lal Das	Accountant, North Raozan Court.	About 4 years.
17.	Babu Lakshman Chandra Das.	Execution Clerk, South Raozan Court.	5 years 4 months.
§18.	Babu Har Chandra Mazumdar.	Sheristadar, 1st Court, Patiya	5 years 7 months.
19.	Babu Mohini Mohan Biswas.	Bench Clerk, 1st Court, Patiya	7 years 6 months.

*Will attain 55 years on 16th October, 1931.
†Will attain 55 years on 1st July, 1932.
‡Will attain 55 years on 16th December, 1931.
§On extension.

Name of officer.	Designation.	Number of years they have served in their posts.
20. M. Abdur Rouf ..	Accountant, 1st Court, Patiya	About 4 years.
*21. Babu Gobinda Chandra Sen.	Execution Clerk, 2nd Court, Patiya.	10 years 4 months.
22. Babu Nibaran Chandra Dutta.	Comparing Clerk, 2nd Court, Patiya.	11 years.
23. M. Nazir Ahmed ..	Naib Nazir, 2nd Court, Patiya	7 years.
24. Babu Bhakta Ranjan Chowdhury.	Bench Clerk, 3rd Court, Patiya	4 years 6 months.
25. M. Zahiruddin Ahmed	Record Clerk, 3rd Court, Patiya	3 years 2 months.
26. Babu Satish Chandra Ghosh.	Record Clerk, 4th Court, Patiya	6 years.
27. M. Latu Miah ..	Bench Clerk, 4th Court, Patiya	4 years.
*28. Babu Gour Hari Das ..	Sheristadar, 1st Court, Satkania.	13 years 7 months.
29. Babu Abani Kanta Chowdhury.	Bench Clerk, 1st Court, Satkania	9 years 6 months.
*30. Babu Annada Charan Chakrabarty.	Comparing Clerk, 2nd Court, Satkania.	3 years 6 months.
*31. M. Nazu Miah ..	Nazir, 2nd Court, Satkania ..	About 4 years.
32. Babu Raj Kumar Chakravarty.	Bench Clerk, 2nd Court, Satkania.	7 years 6 months.
33. Babu Barada Charan Sen.	Sheristadar, Cox's Bazar Court	3 years 3 months.
34. Babu Dhirendra Lal Chowdhury.	Bench Clerk, Cox's Bazar Court.	7 years 6 months.
†35. M. Sultan Ahmed ..	Accountant, Cox's Bazar Court	5 years.
36. M. Ali Ahmed ..	Record Clerk, Cox's Bazar Court.	13 years.

* On extension.

† On leave.

Rai Bahadur KAMINI KUMAR DAS: Will the Hon'ble Member be pleased to state if he will take steps in the case of ministerial officers as in the case of nazirs and accountants?

The Hon'ble Mr. W. D. R. PRENTICE: I will look into the question but it is within the discretion of the District Judge.

Question of separation of the Legislative and the Council Departments.

*56. **Babu JITENDRALAL BANNERJEE:** Will the Hon'ble Member in charge of the Legislative Department be pleased to state—

(*i*) what progress has been made by the Committee appointed by him to consider the question of separation of the Legislative and the Council Departments;

(*ii*) whether he consulted the Hon'ble the President of the Legislative Council and obtained from him his suggestions in the matter;

(*iii*) whether he is prepared to lay on the table all papers in connection therewith; and

(*iv*) whether the Hon'ble Member is in a position to enlighten the House as to when he expects to effect the separation?

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*i*) and (*ii*) The hon'ble member is referred to the reply given to a question by Mr. S. M. Bose on the same subject this session.

(*iii*) The Report of the Committee to consider the matter has already been circulated to members. The views of the President have been ascertained partly by demi-official communication and partly by personal discussions. There are also other papers of an informal character. Under the circumstances it is not advisable at the present stage to adopt the unusual course of placing departmental papers on the table. Further, in view of the personal discussions the papers are likely to prove misleading.

(*iv*) It will serve little useful purpose at the present moment to attempt to foretell when the separation can be effected, but every effort will be made to come to an early decision on the question.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state what has become of the recommendation of the Committee to consider the question of immediate separation and whether it will be placed before the Council for eliciting its opinion thereon?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes, but it is also coupled with another recommendation that the opinion of the Hon'ble President should be obtained and I may assure the Council that as soon as the President's suggestions have been properly examined we shall take the earliest opportunity of placing them before the Council.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state for how long this matter has been before Government?

The Hon'ble Sir PROVASH CHUNDER MITTER: For a very short time.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state if the matter has ever been placed before a Joint Meeting of Government?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am unable to answer that question.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state whether the President had an opportunity of considering these suggestions as a whole before they were placed before the Joint Meeting?

The Hon'ble Sir PROVASH CHUNDER MITTER: I cannot answer questions of this nature, but I can assure the Council that before Government comes to a final decision on this matter the Hon'ble President will certainly get an opportunity to consider these suggestions.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state whether this matter is confidential?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes, and it is not the practice to arrive at a decision in such matters without consulting the Joint Meeting.

Babu JITENDRALAL BANNERJEE: Mr. President, in view of the last answer of the Hon'ble Member and as this question does not simply concern Government alone but concerns this House and yourself, both being parties to it, may I ask you, Sir, to enlighten us on the point?

Mr. PRESIDENT: I am sorry my lips are sealed for the present.

3-15 p.m.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether the opinion of the Hon'ble the President was obtained at the instance of the Committee?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have already swered that question and I may repeat that the Committee amongst her things recommended that the opinion of the Hon'ble the President ould be obtained. The President's opinion has not yet been fully tained but partially obtained—and none knows this better than the on'ble the President himself. Apart from the opinion ascertained by mi-official correspondence, his opinion has been recently ascertained personal discussions and all the recommendations will ultimately me before the Government.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be eased to state whether the Committee has been permanently sbanded?

The Hon'ble Sir PROVASH CHUNDER MITTER: The Committee ve already reported, but though they have been technically disbanded is always open to Government to consult them.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be eased to state whether the Committee ascertained the views of the cretary, the Assistant Secretaries and the Registrar of the partment?

The Hon'ble Sir PROVASH CHUNDER MITTER: No.

Kumar SHIB SHEKHARESWAR RAY: Will the Hon'ble Member pleased to state when the question of separation first came up before overnment?

The Hon'ble Sir PROVASH CHUNDER MITTER: About 18 onths ago, it may be a little more.

Kumar SHIB SHEKHARESWAR RAY: Is it not a fact that the st President brought this matter to the notice of Government?

The Hon'ble Sir PROVASH CHUNDER MITTER: I do not member; it may or may not be.

Kumar SHIB SHEKHARESWAR RAY: Will the Hon'ble Member ve the matter looked up?

The Hon'ble Sir PROVASH CHUNDER MITTER: Apart from the personal aspect of the question, the matter is now before the House and the Government.

Kumar SHIB SHEKHARESWAR RAY: Is it complimentary to the Government that the matter should hang fire so long?

The Hon'ble Sir PROVASH CHUNDER MITTER: If the member remembers the history of the thing, he knows that there was some delay at first owing to the fact that the members, who were appointed to the Committee, resigned, and others had to be appointed. Under the circumstances there has not been any abnormal delay.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state if the question of additional expenditure stands in the way of separation?

The Hon'ble Sir PROVASH CHUNDER MITTER: Not necessarily.

Maulvi ABUL KASEM: Will the Hon'ble Member be pleased to state whether he is aware of the fact that separation has been effected in all the provinces of India except Bengal?

The Hon'ble Sir PROVASH CHUNDER MITTER: Not all, but most of the provinces. But the separation which the Hon'ble President would like to have is of such a character that it is quite different from that of other provinces.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether there has been any proposal before Government for separation without any extra expenditure?

The Hon'ble Sir PROVASH CHUNDER MITTER: There is a proposal before Government for separation. Whether it will entail some additional expenditure or not, is under consideration.

Dr. NARESH CHANDRA SEN GUPTA: Is the Hon'ble Member aware that he has let the cat out of the bag by referring to the opinion of the President?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have no objection to doing so. Indeed I had already referred to the President's opinion in a general way.

Dacca-Narayanganj Road.

57. Mr. K. F. C. STRONACH: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) the amount sanctioned by the Government of India for expenditure on the Dacca-Narayanganj Road; and

(*ii*) the amount provided for this road in the Budget for the current year?

(*b*) What is the expenditure to date on this project?

(*c*) If no expenditure has been incurred will the Government be pleased to state the present position, and the reasons for the delay in starting the work after it has been already sanctioned?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) (*i*) The allotment originally sanctioned by the Government of India from the Central Road Fund for the reconstruction of the Dacca-Narayanganj Road was Rs. 4,50,000. This has recently been increased to Rs. 5,50,000 to make provision for the reconstruction of the bridge leading out of Dacca.

(*ii*) Rupees 1,50,000 as shown on page 83 of the Budget Red Book.

(*b*) Nil.

(*c*) Detailed estimates have been received this month from the Commissioner, Dacca Division, for the total work at a cost of Rs. 6,69,540. The Government of Bengal are not in a position to sanction these and direct work to be taken up until funds have been found to cover the excess over the sanctioned grant, or the estimates have been brought within that amount. They are being further examined in this light.

Babu SATYENDRA KUMAR DAS: Will the Hon'ble Minister be pleased to state with reference to (*a*) (*ii*) whether land acquisition proceedings will be taken up with the money already allotted.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: This will be taken up after the supplementary estimate is sanctioned.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state whether the estimated cost of the sanctioned estimate of Rs. 4,50,000 does not include the cost of improvement of the municipal portion of the road?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The question was left open when the amount was allotted.

Rai Bahadur KESHAB CHANDRA BANERJI: Is it not a fact that the revised estimate of Rs. 6,69,540 includes the cost of improvement of the portions to the road under the Dacca and Narayanganj municipalities?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes.

Unstarred Questions

(answers to which were laid on the table).

Appointment of Munsifs from the backward classes.

42. Babu LALIT KUMAR BAL: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state—

(*i*) the names of the communities falling within the category of backward (depressed) classes of Bengal;

(*ii*) the number of munsifs taken from the backward (depressed) classes during the last ten years;

(*iii*) the number of munsifs taken from the backward (depressed) classes on general qualifications; and

(*iv*) the number of them taken on special qualifications as belonging to the backward (depressed) classes?

(*b*) Is there any possibility of further appointments of munsifs in the year 1931?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) A list of the communities classified under backward classes is laid on the table.

(*ii*), (*iii*) and (*iv*) The hon'ble member is referred to the answer given to clauses (*f*), (*g*) and (*h*) of starred question No. 21 at the session, asked by Babu Amulyadhan Ray. Specific information is not readily available.

(b) Sixteen persons have been selected for appointment in the year, but only three have received appointments as yet. Further appointments will not be made until vacancies occur, which require to be filled up.

List referred to in the answer to clause (a) (i) of unstarred question No. 42.

THE BACKWARD CLASSES FOR MINISTERIAL APPOINTMENTS.

Bagdis.	Hadis.	Koras.	Namasudras.
Bauris.	Hajangs.	Kulus.	Nuniyas.
Bediyas.	Haris.	Kumars.	Oraons.
Bhuimalis.	Jalia Kaibarttas.	Kurmis.	Patnis.
Bhuiyas.	Kalus.	Lodhas.	Pods.
Bhumijs.	Kamars.	Lohars.	Pundaris.
Buddhists.	Kaoras.	Mahishyas.	Rajbandis.
Chakmas.	Kairus.	Mals.	Rajus.
Chamars.	Kapals.	Malos.	Santals.
Dhobas.	Kastas.	Mechs.	Suklis.
Domes.	Khandaits.	Mechuas.	Sunris.
Dosadhs.	Khens	Metias.	Sutradhars.
Gains.	Kochs.	Muchis.	Tiparas.
Garos.	Koiris.	Mundas.	Tiyars.

List of newspapers publishing sale notifications of courts.

43. Mr. ANANDA MOHAN PODDAR: (a) Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a list of mufassal newspapers in which the civil court sale notices are at present published under order 21, rule 67, Civil Procedure Code, showing—

(i) the place from which each paper is published,

(ii) the names of the courts, sale notices of which are published in each paper respectively?

(*b*) Will the Hon'ble Member be pleased to state on what principle such newspapers are selected?

(*c*) Is it a fact that most of the papers published from the subdivisional towns are not selected for the publication of the local civil court sale notices?

(*d*) If the answer to (*c*) is in the affirmative, are the Government considering the desirability of giving preference to the papers published from subdivisional towns to publish the notices of the local civil courts?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) A statement is laid on the table.

(*b*), (*c*) and (*d*) The discretion of selecting newspapers for the publication of sale notices is vested in the District Judges, and Government have no power to interfere.

Statement referred to in the answer to clause (a) of unstarred question No. 43 of newspapers publishing sale notifications.

District with names of newspapers in which sale notifications are published.	Place from which the paper is published.	Names of courts sale notices of which are published in the paper.
BURDWAN DIVISION.		
Burdwan district—		
"Burdwanbani" ..	Burdwan ..	Civil courts at Burdwan Sadar.
"Pallibashi" ..	Kalna ..	Munsif's court, Kalna.
"Katwabarta" ..	Katwa ..	Ditto, Katwa.
"Asansol Samachar" ..	Asansol ..	Civil courts, Asansol.
Midnapore district—		
"Medinipur Hitaishi" ..	Midnapore ..	Civil courts at Midnapore, Tamluk, Ghatal, Garhbeta, Dantan and Jhargram.
"Hijli Hitaishi" ..	Contai ..	Munsif's courts at Contai, according to the option of the parties.
"Nihar" ..		
Hooghly district—		
"Chinsura Bartabaha" ..	Chinsura ..	Civil courts at Hooghly, Serampore and Arambagh.

District with names of newspapers in which sale notifications are published.	Place from which the paper is published.	Names of courts sale notices of which are published in the paper.
Howrah district—		
" Biswadut " ..	Howrah ..	Civil courts at Howrah, Ulubaria and Amta.
Birbhum district—		
" Birbhum Barta " ..	Suri ..	Civil courts at Bolpur.
" Birbhum Bani " ..	Do. ..	Ditto Sadar.
" Rarh Dwipika " ..	Rampurhat ..	Ditto Rampurhat.
" Pallimangal " ..	Dubrajpur ..	Ditto Dubrajpur.
Bankura district—		
" Bankura darpan " ..	Bankura Sadar ..	Civil courts of the district.
PRESIDENCY DIVISION.		
Nadia district—		
" Bangaratna " ..	Krishnagar ..	Civil courts at Nadia, Chuadanga and Meherpur.
" Nadia Prakash " ..	Mayapur, Nabadwip	Munsif's courts, Krishnagar.
" Bartabaha " ..	Ranaghat ..	Ditto, Ranaghat.
" Jagaran " ..	Kushtia ..	Ditto, Kushtia.
24-Parganas—		
" 24-Parganas Bartabaha "	Bhowanipore ..	Civil courts of the district.
Jessore district—		
" Jashohar " ..	Jessore Sadar ..	Civil courts at Sadar, Narail and Jhenida subdivisions.
" Ananda Patrika " ..	Magura ..	Civil courts at Magura.
" Pallibarta " ..	Bongaon ..	Ditto Bongaon.
Khulna district—		
" Khulna " ..	Khulna town ..	Civil courts at Sadar.
" Khulnabasi " ..		
" Khulna Barta " ..		
" Jagaran " ..	Bagerhat town ..	Ditto Bagerhat.
" Tanjim " ..		
" Suvabani " ..	Satkhira town ..	Ditto Satkhira.
" Anandamayee " ..		

District with names of newspapers in which sale notifications are published.	Place from which the paper is published.	Names of courts sale notices of which are published in the paper.
Murshidabad district—		
"Murshidabad Hitaishi" ..	Berhampore ..	Civil courts at Berhampore.
"Jangipur Sambad" ..	Jangipur ..	Ditto Jangipur.
"Kandi Bandhab" ..	Kandi ..	Ditto Kandi.
DACCA DIVISION.		
Faridpur district—		
"Sanjay" ..	Faridpur Sadar ..	Courts at Sadar.
"Faridpur Hitaishini" ..	Faridpur ..	Bhanga courts (within Sadar subdivision).
"Rajbari Patrika ..	Rajbari ..	Goalundo (Rajbari) courts.
Mymensingh district—		
"Mymensingh Samachar"	Mymensingh town	Civil courts at Netrokona and Iswarganj, 2nd courts at Sadar and Kishoreganj, 1st court at Bajitpur and 1st and 2nd courts of Sub-Judges, Mymensingh.
"Santi Barta" ..	Jamalpur (Subdivisional headquarters).	Civil courts at Jamalpur and Sherpur.
"Palli Sebak" ..	Mymensingh town	Remaining Civil courts of the district except those at Tangail.
"Charu Mihir" ..	Mymensingh town	Remaining Civil courts of the district except those at Tangail.
Dacca district—		
"Dacca Prokash" ..	Dacca town ..	Civil courts at Sadar and Manikganj subdivisions.
"Panchayet" ..	Ditto ..	Civil courts at Narainganj and Munshiganj subdivisions.
Bakarganj district—		
"Kashipur Nibashi" ..	Barisal town ..	All Civil courts of the district.
CHITTAGONG DIVISION.		
Chittagong district—		
"Suniti" ..	Chittagong town ..	Civil courts of the district.
Tippera district—		
"Tippera guide" ..	Comilla ..	Chandpur Civil courts and the sale notices of 3rd Sub-Judge's court at Comilla so far as Chandpur is concerned.
"Tripura Hitaishi" ..	Ditto ..	Civil courts at Comilla and Kasba.
"Prajabandhu" ..	Brahmanbaria ..	Civil courts at Brahmanbaria and Nabinagar.

District with names of newspapers in which sale notifications are published.	Place from which the paper is published.	Name of courts sale notices of which are published in the paper.
Noakhali district—		
"Noakhali Sanmilani" ..	Noakhali town ..	Civil courts at Sadar and Lakshmipur.
"Noakhali Hitaishi" ..	Ditto ..	Civil courts at Feni, Sandwip and Hatiya.
RAJSHAHI DIVISION.		
Malda district—		
"Malda Samachar" ..	Malda ..	All Civil courts of Malda.
"Malda Akbar" ..		
"Gourdut" ..		
Rajshahi district—		
"Hindu Ranjika" ..	Rajshahi Sadar ..	All Civil courts at Rajshahi Sadar.
"Palli Bandhab" ..		
"Desherbani" ..	Naogaon subdivision.	Civil courts at Naogaon.
"Bengal Presidency Gazette."	Nator subdivision ..	Ditto Nator.
Dinajpur district—		
"Dinajpur Patrika" ..	Dinajpur town ..	Civil courts of the district.
Jalpaiguri district—		
"Nishan" ..	Jalpaiguri town ..	Ditto.
Rangpur district—		
"Rangpur darpan" ..	Rangpur town ..	Ditto.
Pabna district—		
"Suraj" ..	Pabna ..	Ditto.
"Pabna-Bogra Hitaishi"		
Bogra district—		
"Bagurar Katha" ..	Bogra ..	Ditto.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether a Government circular or notification has been issued for the guidance of District Judges in the matter?

The Hon'ble Mr. W. D. R. PRENTICE: Not that I am aware of.

NON-OFFICIAL MEMBERS' BILLS.

The Bengal Tenancy (Amendment) Bill, 1931.

Maulvi SYED MAJID BAKSH: I beg to move for leave to introduce a Bill further to amend the Bengal Tenancy Act, 1885.

Mr S. M. BOSE: Sir, I rise on a point of order..

Mr. PRESIDENT: What is your point?

Mr. S. M. BOSE: Sir, I object to the motion under rule 51.

Mr. PRESIDENT: Your point of order will be appropriate when we come to the next motion, i.e., when the motion for consideration of the Bill is made.

Maulvi SYED MAJID BAKSH: In moving for the introduction of the Bill, Sir, I should like to make some remarks. As I told you yesterday, I do not wish to incorporate clause 2 in the Bill.

Mr. PRESIDENT: I am afraid the Bill must stand as it is.

Maulvi SYED MAJID BAKSH: Sir, I am sorry that I have not been able to give a copy of the Bill to my friends here. But I should like to explain to them what the Bill aims at.

The motion that leave be given to introduce the Bill was put and agreed to.

The Secretary then read the short title of the Bill.

Maulvi SYED MAJID BAKSH: I beg to move that the said Bill be taken into consideration.

Mr. NARENDRA KUMAR BASU: Sir, I object to the motion. We have not been supplied with copies of the Bill, not to speak of the 7 days' notice as required by the rules.

[The objection of Mr. Narendra Kumar Basu having been upheld, Maulvi Syed Majid Baksh was not allowed by the Hon'ble the President to move for the consideration of the Bill.]

Maulvi SYED MAJID BAKSH: Sir, what will be the fate of my Bill?

Mr. PRESIDENT: You may bring it up in the next session, if you so desire.

The Bengal Patni Sale Law (Amendment) Bill, 1931.

Babu KISHORI MOHAN CHAUDHURI: I beg to move for leave to introduce a Bill further to amend the Patni Sale Law Regulation VIII of 1819.

The aims and objects of the Bill are contained in the Statement of Objects and Reasons which has been circulated to the members of the House.

The motion was put and agreed to.

The Secretary then read the short title of the Bill.

Babu KISHORI MOHAN CHAUDHURI: Sir, before I rise to move the next item, I may state that there are two stages, *viz.*, that relating to motions regarding the circulation of the Bill and another regarding the personnel of the Select Committee.

The Hon'ble Sir PROVASH CHUNDER MITTER: Motions relating to circulation are Nos. 36A to 36D and those relating to the personnel of the Select Committee are Nos. 36E to 36J.

3-30 p.m.

MUNINDRA DEB RAI MAHASAI: I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting public opinion thereon before the 31st December, 1931.

Dr. NARESH CHANDRA SEN GUPTA: I should like to commend this Bill to the earnest attention of the members of the House, and in supporting it, I will tell the House a story of a case that I know of. A patni embracing a large property was sold because the agent of the tenant was late by about two or three hours in bringing in the money to prevent the sale. The result was that the money could not be deposited on that day, and the sale could not be averted, as it could easily have been done if it were a sale under the Bengal Tenancy Act or the Public Demands Recovery Act, the result was a very big litigation. It is still going on, much to my gain, but not to the benefit at all of either party or the tenants. The matter has come up before the High Court several times, and I suppose it will go up to the Privy Council finally. That is a scandal which ought to be prevented.

The following motion was called but not moved:—

Maulvi ABDUL HAMID SHAH to move, by way of amendment, that the Bill be circulated for the purpose of eliciting public opinion thereon by November next.

Mr. P. N. GUHA: Sir, I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting public opinion thereon within two months from the date on which this motion is carried in the Council.

Sir, we received a circular from the Secretary of the Legislative Council stating that Kishori Babu was bringing in a Bill to amend the Patni Sale Law in Bengal and that any amendment to the proposition was to be sent up within a certain date. Sir, we were asked to send amendments, but the proposed Bill was not before us and so we were in the dark with regard to the contents of the amending Bill of Babu Kishori Mohan Chaudhuri. The position was rather an awkward one for without seeing the Bill it was impossible for anyone of us to decide the course we ought to take. I assure you, Sir, that I waited till the last date for sending the amendment and as the Bill did not reach me till then I thought it only prudent to try my best to stop the progress of the Bill and so I tabled my amendment for circulation. Sir, I have not the slightest intention of opposing the Bill, but I think the practice of proceeding with a Bill at the very session in which it is introduced is most objectionable. The people of the country should be given an opportuntiy to express their views on all Bills that may come up before the Council. In this particular case, Kishori Babu is bent upon changing a law which has been on the Statute Book for rather a long time and in all fairness the people and particularly the landlords ought to be asked to give their opinions on the Bill before it can be allowed to go to the Select Committee. I therefore move that the Bill be circulated for eliciting public opinion thereon.

The following motion was called but not moved:—

Maulvi TAMIZUDDIN KHAN to move, that the Bill be circulated for the purpose of eliciting opinion thereon by the 30th September, 1931.

3-45 p.m.

The Hon'ble Sir PROVASH CHUNDER MITTER: There is no doubt that much can be said on both sides. Although the amendment may seem to be a simple one yet if properly considered difficult points may arise. It is true there are similar provisions in the Civil Procedure Code and the Bengal Tenancy Act and Mr. Chaudhuri may well argue that such a provision should be incorporated in the Patni Sale Law. But there is also another aspect of the question which has been brought to the notice of Government which involves the examination of a different principle and which should differentiate the Patni Sale Law from sales under the aforesaid Acts. One important point in a transaction under the Patni Regulations is punctuality of payment of the stipulated rent on the fixed dates.

There are many transactions under the Patni Regulations where the landlords retain only a small income and reduce themselves to the position of annuitants in the expectation that the rent will be punctually paid. In these cases the landlords depend on the stipulated rent for their living and it will go against the essence of the transaction and cause great hardship if the stipulated rent be not punctually paid. Then again there are many patni leases which contain provisions not only for payment of the rent to the landlord but the revenue payable by the landlord. If in these cases the patnidar fails to pay the revenue on the due date there is a serious risk of the whole property being sold under the Revenue Sale Law. Lawyers are familiar with cases where the patnidar, who is sometimes richer than his landlord, deliberately defaults in the payment of the revenue with the object of purchasing the property for his benefit. These aspects of the question should not be lightly ignored. On the other hand there are many patni transactions where much can be said in favour of Babu Kishori Mohan Chaudhuri's amendment, namely, that even if there be a delay of one more month in paying the patni rent with a certain percentage as profit not much harm will be done and there will be no difference in principle from the normal case of a rent sale or a sale under the Civil Procedure Code. Government have no direct interest in the amendment one way or the other; the only interest Government have is to see that no injustice is done to any class of persons. While in many cases they may not be averse to relieving patnidars from the consequences of sales of their patnis on payment of compensation they cannot at the same time ignore that the understanding arrived at in contracts entered into 70, 80 or 100 years ago should be lightly deviated from. From a consideration of all these points of view we are in favour of supporting the motion for circulation, so that all parties may have their say in the matter and place further materials before the Council. Then, again, there are debattar estates and wakf estates which depend on the punctual receipt of the patni rent for the discharge of the duties imposed by these trusts and may not have separate funds for payment of the revenue if the patnidar defaults. But there can be no objection to the circulation of the Bill for eliciting opinion within two or three months. I, therefore, appeal to those who are pressing for the immediate consideration of the amendment that as it will affect the zamindars and the patnidars, both well-to-do class of people, it is better that the Bill should be circulated for opinion in order that possible conflicts may be set at rest by giving both classes time to present their respective cases. There are many instances in which we find that patnidars are better off than zamindars while there are zamindars who are better off than patnidars. It will be better if this Bill be taken up in the next session of the Council after eliciting public opinion.

Babu KHETTER MOHAN RAY: I beg to support entirely the principle of the Bill. I do not understand how the interests of the zamindars will be affected by the new procedure introduced in the Bill.

The Hon'ble Sir PROVASH CHUNDER MITTER: I have deliberately refrained from entering into the interests of zamindars and of patnidars. I did not speak anything on the question of merit, but what I said was on the question of circulation.

Babu KHETTER MOHAN RAY: What I meant to say was both zamindars and patnidars would be benefited by this amendment. The zamindars get the money after 7 days from the date of sale whereas if the measure introduced by Kishori Babu is made into law in that case the zamindars will get it after 30 days. That is the only difference that will be introduced in the position of zamindars.

In the execution of a decree for arrears of rent and money, when the tenure or holding is sold, the judgment-debtor is entitled to set aside the sale on deposit of the decretal money together with 5 per cent. on the price fetched at the sale as a solatium to the auction-purchaser. Of course this provision was introduced lately into the Civil Procedure Code and the Bengal Tenancy Act and Public Demands Recovery Act. I think it is in the fitness of things that it should be introduced in the Patni Sale Law which was enacted more than a century ago.

The only remedy available to the patnidar at present for setting aside a sale held under Regulation VIII of 1819 is by a suit in the civil court which entails enormous expenditure and time. Moreover, the summary procedure for bringing the tenure to sale as provided in the Patni Law is highly technical and so its observance is so rigorously insisted on by the civil courts that almost all sales are set aside and zamindars are saddled with costs of the patnidars and auction-purchaser together with compensation to the auction-purchaser by way of interest on purchase money. If the proposed rule is introduced it will be the better for the zamindars and patnidars. Zamindars will have nothing to fear from this innovation: only his payment will be deferred by three weeks.

Babu JITENDRALAL BANNERJEE: Sir, whatever Sir Provash Chunder Mitter's language might have been, the implication of his speech was that there is a conflict of interests between zamindars and patnidars. But so far as that is concerned, as my friend to the right has clearly pointed out, at present zamindars get their dues after seven days from the sale; but when the Bill has been passed, they will get their dues after 30 days. And there is no reason to suppose that, in

the intervening period of three weeks, the zamindars will run bankrupt. Mr. P. N. Guha seemed to be labouring under the delusion that this Bill would adversely affect the interests of landlords if it were passed.

Mr. P. N. GUHA: I did not say that.

Babu JITENDRALAL BANNERJEE: It does not matter what you said; you do not understand the scope and object of the Bill; but that was the clear purport of what you said. But if there is one class, more than any other, which stands to benefit by the provisions of the Bill it is the class of landlords. Most of the landlords of Bengal are patnidars; and it is clearly for the benefit and interest of the patnidars that this Bill has been introduced. In point of fact the Bill is a simple, bare and elementary measure of justice, a measure of justice that has been deferred only too long. At present if property is sold under the provisions of the Bengal Tenancy Act, it can be redeemed within 30 days from sale by payment of the arrear dues *plus* a certain amount by way of fine. Similarly, if property is sold under the Public Demands Recovery Act, it can also be redeemed by payment of arrears and fine; and so also, if property is sold under the Civil Procedure Code, that too can be redeemed in a similar way. And this Bill only proposes that the same period of grace for the payment of dues should now be allowed to the patnidars also—the same period and not a day more or a week more. In other words, the Bill only seeks to bring the sale law under the Patni regulation in line with the provisions of sale law in other cases. It is idle to speak of granting more time to consult public opinion on this matter. Public opinion is unanimous in support of the Bill, and delay in passing it will only mean more injustice for a worthy and deserving class of men.

The motion of Munindra Deb Rai Mahasai was then put and lost.

The motion of Mr. P. N. Guha was then put and a division taken with the following result:—

AYES.

Armstrong, Mr. W. L.
Austin, Mr. J. M.
Bai, Babu Lalit Kumar.
Bai, Mr. Sarat Chandra.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Cohen, Mr. D. J.
Cappingar, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Dash, Mr. A. J.
Faroqui, the Hon'ble Khan Bahadur K. G. M.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Ganguli, Rai Bahadur Sueil Kumar.
Ghuznavi, the Hon'ble Alhaj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Mr. P. N.
Gurher, Mr. C. W.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Maulvi Amin-uz-Zaman.
Law, Mr. Surendra Nath.
Lyle, Mr. N. R.
Marr, the Hon'ble Mr. A.
Miller, Mr. C. G.
Mitter, the Hon'ble Sir Prevash Chunder.
Nag, Reverend B. A.
Nandy, Maharaja Srie Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.

Nelson, Mr. J. W.
Norton, Mr. H. R.
Philpot, Mr. H. C. V.
Poddar, Mr. Ananda Mohan.
Prentice, the Hon'ble Mr. W. D. R.
Rai Mahasai, Munindra Deb.
Ray, Kumar Shib Shekhareswar.
Reid, Mr. R. N.
Roy, Mr. Saileswar Singh.
Ray, Mr. Sarat Kumar.
Ray, the Hon'ble Mr. Bijoy Prasad Singh.
Sarkar, Sir Jadunath.
Stronach, Mr. K. F. G.
Sumner, Mr. C. R.
Travers, Sir Lancelot.

NOES.

Ali, Maulvi Hassan.
Ali, Maulvi Syed Nasseer.
Baksh, Maulvi Sheik Rahim.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Banerji, Rai Bahadur Keshab Chandra.
Bannerjee, Babu Jitendralal.
Barma, Rai Sahib Panchanan.
Basu, Mr. Narendra Kumar.
Burai, Babu Gakul Chand.
Chaudhuri, Babu Kishori Mahan.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Choudhury, Maulvi Nural Absar.
Chowdhury, Haji Badi Ahmed.
Chowdhury, Maulvi Abdul Ghani.
Das, Babu Satyendra Kumar.
Das, Rai Bahadur Kamini Kumar.
Dutt, Rai Bahadur Dr. Haridhan.
Ducufji, Maulvi Nur Rahman Khan.
Hakim, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hashemy, Maulvi Syed Jalaluddin.
Heque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Hossain, Maulvi Muhammad.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Temizuddin.
Khan, Mr. Razaur Rahman.
Lal Muhammed, Haji.
Maiti, Mr. R.
Mookerjee, Mr. Syamaprasad.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Momin, Khan Bahadur Muhammad Abdul.
Poddar, Seth Hunuman Prasad.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur.
Ray, Babu Amulyadhan.
Ray, Babu Khetter Mahan.
Ray, Babu Nagendra Narayan.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Reut, Babu Hoseni.
Roy, Babu Haribansa.
Roy, Babu Satyendra Nath.
Saadetullah, Maulvi Muhammad.
Samad, Maulvi Abdus.
Sen, Rai Sahib Akshoy Kumar.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.
Singh, Srijut Taj Bahadur.
Sircar, Dr. Sir Nilratan.
Solaiman, Maulvi Muhammad.

The Ayes being 46 and the Noes 54 the motion was lost.

4 p.m.

Babu KISHORI MOHAN CHAUDHURI: Sir, before I move my motion, I ask your permission to omit certain names from the list already on the agenda and add certain new names. I move that the Bill be referred to a Select Committee consisting of—

(1) the Hon'ble Sir Provash Chunder Mitter, KT., C.I.E.,
(2) the Hon'ble Mr. Bijoy Prasad Singh Roy,
(3) Mr. H. C. V. Philpot,
(4) Babu Jatindra Nath Basu,
(5) Mr. Narendra Kumar Basu,
(6) Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,
(7) Mr. Sarat Kumar Roy,
(8) Babu Hem Chandra Roy Choudhuri,
(9) Nawab Musharruf Hosain, Khan Bahadur,
(10) Rai Bahadur Kamini Kumar Das, M.B.E.,
(11) Haji Badi Ahmed Chowdhury, and
(12) myself,

with instructions to submit their report within fifteen days, and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

The Hon'ble Sir PROVASH CHUNDER MITTER: On page 9 of the List of Business there are certain names and we have considered those names. Babu Kishori Mohan Chaudhuri now wants to add four other names without moving any formal amendment. I am not objecting to this, but I want to make the position clear. The better course for him would have been to move the motion as it stands and then to move an amendment suggesting the new names.

Mr. PRESIDENT: I think, Sir Provash, it makes very little difference. Besides, Kishori Babu cannot move an amendment to his own motion.

The Hon'ble Sir PROVASH CHUNDER MITTER: We have no objection.

Babu JITENDRALAL BANNERJEE: On a point of order, Sir. I do not wish to object to any of the names proposed. There are as many as four Government members on the Committee. These Government members have their own views on the matter. Their presence on the Committee might dislocate public business, and at the same time their presence there will be of no use.

Mr. PRESIDENT: That is hardly a point of order. In any case, I can be of no help to you in this matter.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of order, Sir. Under the rules, so far as the Hon'ble Sir Provash Chunder Mitter is concerned, he is bound to be a member of the Select Committee.

Mr. PRESIDENT: It is so.

The Hon'ble Sir PROVASH CHUNDER MITTER: It is quite true that under the rules the Hon'ble Member in charge of the Department has to be a member of the Select Committee. Personally, I should prefer if, instead of mentioning me by name, I am referred to by my official designation.

Babu KISHORI MOHAN CHAUDHURI: I agree.

The motion of Babu Kishori Mohan Chaudhuri, replacing the name by the official designation of the Hon'ble Member in charge of the Revenue Department was then put and agreed to.

The following motions were called but not moved:—

Maulvi MUHAMMAD FAZLULLAH to move, that in motion of Babu Kishori Mohan Chaudhuri, the following names be omitted, namely:—

"The Hon'ble Mr. Bijoy Prasad Singh Roy,
Babu Jatindra Nath Basu,
Raja Bhupendra Narayan Sinha Bahadur, of Nashipur, and
Mr. Sarat Kumar Roy"

and that after the name of Mr. A. K. Fazl-ul Huq the following names be inserted, namely:—

"Dr. Naresh Chandra Sen Gupta,
Mr. P. Banerji,
Maulvi Syed Jalaluddin Hashemy,
Khan Bahadur M. A. Mumin,
Babu Jitendralal Bannerjee,
Khan Bahadur Maulvi Azizul Haque,
Syed Osman Haider Chaudhuri,
Maulvi Nurul Absar Choudhury,
Maulvi Abdul Ghani Chowdhury,
Maulvi Abdul Hamid Shah,
Maulvi Abdul Hakim,
Maulvi Tamizuddin Khan,
Babu Satyendra Nath Roy, and
Maulvi Muhammad Fazlullah."

MUNINDRA DEB RAI MAHASAI to move that after the name of Mr. A. K. Fazl-ul Huq the following names be inserted, namely:—

"Mr. Sarat Chandra Mittra,
Rai Bahadur Keshab Chandra Banerji,
Babu Satyendra Nath Roy, and
Muninadra Deb Rai Mahasai."

Haji BADI AHMED CHOWDHURY to move that after the name of "Mr. A. K. Fazl-ul Huq" the following names be inserted, namely:—

"Khan Bahadur Maulvi Azizul Haque,
Maulvi Tamizuddin Khan,
Mr. Khwaja Salauddin, and
Haji Badi Ahmed Chowdhury."

Maulvi TAMIZUDDIN KHAN: Sir, I beg to move that the following names be inserted to the list of members of the Select Committee proposed by Babu Kishori Mohan Chaudhuri:—

Khan Sahib Maulvi Muazzam Ali Khan,

Maulvi Abdul Ghani Chowdhury, and

Babu Jitendralal Bannerjee.

Sir, I think that the list of names proposed by my hon'ble friend does not include any names from the *proja* party. I have, therefore, suggested these names, and I hope that my friend Babu Kishori Mohan Chaudhuri will have no objection to include these names. Sir, the Select Committee, I am afraid, will become rather unwieldy, but there have been other Select Committees which consisted of more members than the present one. Therefore, I do not think that the Committee will be unwieldy by the addition of these names.

The motion was put and agreed to.

4-15 p.m.

Maulvi SYED JALALUDDIN HASHEMY: I beg to move that after the name of Haji Badi Ahmed Chowdhury in the motion of Babu Kishori Mohan Chaudhuri the following name shall be inserted, namely:—

Maulvi Syed Jalaluddin Hashemy.

The name of Babu Jitendralal Bannerjee originally occurred in my motion but he has already been included and there is no other alternative for me but to move for the inclusion of my own name.

Mr. PRESIDENT: Self-love is not so vile a sin as self-neglecting. (Laughter.)

The motion of Maulvi Syed Jalaluddin Hashemy was put and agreed to.

Maulvi ABDUL HAKIM: I beg to move that in the motion of Babu Kishori Mohan Chaudhuri the following names be added at the end, namely;—

Maulvi Abdul Hamid Shah, and

Maulvi Abdul Hakim.

The motion was put and lost.

The following amended motion was then put and agreed to:—

"That the Bengal Patni Sale Law (Amendment) Bill, 1931, be referred to a Select Committee consisting of—

(1) the Hon'ble Member in charge of the Revenue Department,
(2) the Hon'ble Mr. Bijoy Prasad Singh Roy,
(3) Mr. H. C. V. Philpot,
(4) Babu Jatindra Nath Basu,
(5) Mr. Narendra Kumar Basu,
(6) Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,
(7) Mr. Sarat Kumar Roy,
(8) Babu Hem Chandra Roy Choudhuri,
(9) Nawab Musharruf Hosain, Khan Bahadur,
(10) Rai Bahadur Kamini Kumar Das, M.B.E.,
(11) Haji Badi Ahmed Chowdhury,
(12) Khan Sahib Maulvi Muazzam Ali Khan,
(13) Maulvi Abdul Ghani Chowdhury,
(14) Babu Jitendralal Bannerjee,
(15) Maulvi Syed Jalaluddin Hashemy, and
(16) Babu Kishori Mohan Chaudhuri,

with instructions to submit their report within fifteen days and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

The Calcutta Municipal (Amendment) Bill, 1930.

Mr. MUKUNDA BEHARY MULLICK: I beg to move for leave to introduce a Bill to amend the Calcutta Municipal Act, 1923.

The motion was put and agreed to.

The Secretary then read the short title of the Bill.

Mr. MUKUNDA BEHARY MULLICK: I beg to move that the said Bill be circulated for eliciting opinion thereon before the next session of the Council.

Mr. P. N. GUHA: I beg to oppose this motion, Sir, as copies of this Bill have not been circulated to members 7 days before this.

Mr. PRESIDENT: In that case I cannot allow you to move the motion.

Mr. MUKUNDA BEHARY MULLICK: I beg that as it is only a motion for circulation you will be pleased to suspend rule 51 in my favour.

Mr. PRESIDENT: I am afraid I cannot do so. You can come forward with your motion in the next session, if you so desire.

The Bengal Municipal (Amendment) Bill, 1931.

MUNINDRA DEB RAI MAHASAI: I beg to move for leave to introduce a Bill to amend section 15 of the Bengal Municipal Act, 1884, so as to remove sex disqualification for registration on the electoral rolls of municipalities.

The motion was put and agreed to.

The Secretary then read the short title of the Bill.

MUNINDRA DEB RAI MAHASAI: I beg to move that the said Bill be taken into consideration.

Sir, the Bengal Municipal Act was passed so far back as 1884. Since then nearly half a century is about to elapse. During this period there have been great changes in the political and social life of Bengal. Mahila samities and various other women organisations have come into existence in all parts of Bengal where the ladies are taking active interest in their economic, social and political upliftment. In the All-Bengal Women's Congress held in Calcutta in May last hundreds of lady delegates attended it from far-off mufassal villages and towns and took active part in its deliberations. In the political struggle for freedom ladies did not hesitate to bear their fair share of the struggle and cheerfully courted imprisonment. This unmistakeably showed their eagerness to participate in the political advancement of the country. This also showed the dawning of a new era in Bengal politics undreamt of fifty years ago. The women of Bengal both in the urban and rural constituencies of the Bengal Legislative Council have been granted the right to vote having the same property qualifications with the male electors. Is it not absurd and inconsistent to deny them the right to exercise their franchise in the municipal elections while they enjoy equal rights with men in a bigger sphere—I mean the Council elections? I do not know on what rational principle a large section of the community should be excluded from the civic functions of the self-governing institutions. I do not find any cogent reason to justify their exclusion. The Calcutta Municipal

Act of 1923 has also granted them the franchise and I hope this Council should not hesitate to extend it to the urban areas. With these few words I commend my motion for the acceptance of the House.

Mr. C. W. GURNER: I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting public opinion thereon by the 1st November, 1931.

As the mover, I understand, is disposed to accept the motion I need not elaborate my arguments.

The motion was put and agreed to.

The motion of Munindra Deb Rai Mahasai, therefore, failed.

The Bengal Municipal (Amendment) Bill, 1931.

Babu SATYENDRA KUMAR DAS: I beg to move for leave to introduce a Bill to amend the Bengal Municipal Act, 1884.

The object of this Bill has been set forth in detail in the Statement of Objects and Reasons, hence I do not think it necessary at this stage to discuss the provisions embodied in it. All that I can say is that it contains some useful suggestions regarding simplification of procedure in regard to the assessment and collection of taxes, which is often a difficult task, particularly in smaller mufassal municipalities. Difficulties are often experienced in realising rates by civil suits which involve delay and cause unnecessary financial loss to the municipalities. The amendment of section 361 as embodied in my Bill will enable the municipalities to recover promptly the arrears of taxes without seeking protection of civil suits. One of the most important provisions made in my Bill is the removal of a municipal commissioner for failure to pay taxes for a certain period as the present section 20 does not contemplate such action on the ground stated. These are, among others, some of the provisions of my Bill. The fact that the existing Act, which has practically become out of date and requires overhauling in certain material points, has encouraged me to bring forward this amending Bill. Whatever may be the fate of my Bill, I hope the Hon'ble Minister who, I understand, intends to introduce a Bill to amend the Bengal Municipal Act, will take into consideration my proposals here contained in framing the Government Bill.

The motion was put and agreed to.

The Secretary then read the short title of the Bill.

Babu SATYENDRA KUMAR DAS: I also beg to move that the said Bill be referred to a Select Committee consisting of—

the Hon'ble Minister in charge of the Local Self-Government Department,

Rai Bahadur Keshab Chandra Banerji,

Rai Bahadur Kamini Kumar Das, M.B.E.,

Mr. C. W. Gurner,

Khan Bahadur Maulvi Alimuzzaman Chaudhuri,

Khan Bahadur Maulvi Azizul Haque,

Mr. S. M. Bose,

Maulvi Abdus Samad,

Munindra Deb Rai Mahasai, and

myself,

with instructions to submit their report as soon as possible and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

The following motion was called but not moved:—

"**MUNINDRA DEB RAI MAHASAI** to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon before the 31st December 1931."

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting public opinion thereon by the 1st November, 1931.

As the mover has said, Government is contemplating the amendment of the Bengal Municipal Act in a comprehensive manner and I shall be very glad to consult the member in charge of this Bill so far as the provisions of his Bill are concerned. I hope therefore he will have no difficulty in accepting this amendment.

The motion was put and agreed to.

The motion of Babu Satyendra Kumar Das, therefore, failed.

The Bengal Village Self-Government (Amendment) Bill, 1931.

MUNINDRA DEB RAI MAHASAI: I beg to move for leave to introduce a Bill to amend the Bengal Village Self-Government Act, 1919.

The motion was put and agreed to.

The Secretary then read the short title of the Bill.

MUNINDRA DEB RAI MAHASAI: I beg to move that the said Bill be taken into consideration.

The object of this Bill has been clearly set forth in the Statement of Objects and Reasons. The amendments of sections 31 and 45 as many of you know were urged at the conference of the Presidents of Union Boards held at Chinsurah some time ago. For want of a permissive clause to undertake small irrigation projects, union boards could not take them up even if they were successful in raising funds for the purpose. The amendment of section 45 has also become necessary. The grants to union boards should no longer be left to chance or to individual likes and dislikes—the district boards should contribute their quota to union boards as funds permitted.

The libraries of rural Bengal are struggling hard for their very existence. The amendment of section 32 is a very modest one and does not carry with it any obligations on the part of the union boards to provide funds for libraries. If funds permit and the members feel inclined to help the libraries, they will be free to do so. The amendment of section 56(*1*) has also become imperative. The removal of the president or the supersession of the union boards were serious matters which should have the approval of the local Government. In view of the importance of the amendments, I hope the Council will extend its whole-hearted support to the Bill.

With these few words I commend my motion to the acceptance of the House.

Mr. C. W. GURNER: I beg to move formally, by way of amendment, that the Bill be circulated for the purpose of eliciting public opinion thereon by the 1st November, 1931.

The motion was put and agreed to.

The motion that the Bengal Village Self-Government (Amendment) Bill, 1931, be taken into consideration, therefore, failed.

The Bengal Municipal (Amendment No. II) Bill, 1931.

MUNINDRA DEB RAI MAHASAI: I beg to move for leave to introduce a Bill to amend section 86 of the Bengal Municipal Act, 1884.

The motion was put and agreed to.

The Secretary then read the short title of the Bill.

MUKINDRA DEB RAI MAHASAI: I also beg to move that the said Bill be taken into consideration.

Mr. C. W. CURNER: I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting public opinion thereon by the 1st November, 1931.

The members of the Council will again be pleased to learn that the mover of the Bill has agreed to accept my motion.

The motion was put and agreed to.

The motion that the Bengal Municipal (Amendment No. II) Bill, 1931, be taken into consideration, therefore, failed.

Mr. PRESIDENT: Non-official bills are finished. I will take up resolutions on Monday. The Council now stands adjourned till 3 p.m., on Monday.

Adjournment.

The Council was then adjourned till 3 p.m., on Monday, the 27th July, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Monday, the 27th July 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 84 nominated and elected members.

Murder of Mr. R. R. Carlick, I.C.S.

Sir LANCELOT TRAVERS: Mr. President, may I ask a short question of you? Doubtless, you are aware that to-day a Judge of His Majesty in this province, a Judge of the highest attainments, universally respected, has been grossly murdered. I suggest, Mr. President, that as a mark not only of condolence, but of what, I am sure, must be the feeling of universal condemnation of this murder, by this Council, that the Council should now adjourn.

Babu JATINDRA NATH BASU: Mr. President, I wholeheartedly associate myself with the remarks that have fallen from Sir Lancelot Travers and I can assure the House and the country that the perpetrators of such crimes have no sympathy from any one on this side of the House. We abhor and condemn such inhuman acts as emphatically as we can. I also wholeheartedly join in the request of Sir Lancelot Travers that we should, as a mark of our deep sense of loss, adjourn the Council.

Babu SATISH CHANDRA RAY CHOWDHURY: Sir, I associate myself fully with the remarks of Mr. Jatindra Nath Basu and Sir Lancelot Travers, and I think it is high time that we should express our strong condemnation of such dastardly acts as they do not do any benefit to the country but on the contrary retard the progress towards the great end which we all have in view.

Mr. NARENDRA KUMAR BASU: Sir, we associate ourselves wholeheartedly with the remarks of Sir Lancelot Travers and other speakers. I desire to add that it makes it very difficult under these circumstances to carry on the work which we are here to perform. I, therefore, associate myself with the suggestion of Sir Lancelot Travers that you will kindly adjourn the Council.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Sir, I associate myself wholeheartedly with the remarks of Sir Lancelot Travers and those of the other speakers. To me personally, Sir, the news has come as a great shock as I knew Mr. Garlick well personally, and I have the greatest respect for a man of Mr. Garlick's ability of head and heart. On behalf of myself and on behalf of the party I represent in this Council I wholeheartedly join in the words that have fallen from the mouths of Mr. Narendra Kumar Basu and others. We are under the shadow of a great grief and it is very difficult for us to participate in any serious work in these circumstances. With these words, I endorse the suggestion that we should adjourn this Council.

Mr. PRESIDENT: Gentlemen of the House, I am greatly horrified to hear of the dastardly crime. It is really a great shock to me; Mr. Garlick was personally known to me. It is really deplorable that a public servant of Mr. Garlick's reputation should lose his life at the hands of an assassin while doing his duty. I quite agree with you all in thinking that it is impossible for us to transact any business to-day. I therefore, adjourn the Council till 3 p.m., on Wednesday, the 29th instant.

Adjournment.

The Council was then adjourned till 3 p.m., on Wednesday, the 29th July, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Wednesday, the 29th July, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 111 nominated and elected members.

Obituary reference.

Mr. PRESIDENT: Gentlemen, it is with great regret that I have to refer to the death of Mr. W. H. Phelps which melancholy event took place on Friday last at the Presidency General Hospital, Calcutta. Mr. Phelps was for a number of years a member of the Bengal Legislative Council under the old constitution as an elected member from the Calcutta Trades Association. He was a member of the Corporation of Calcutta having served the city for 40 years with disinterested devotion to duty. He also served on the Port Trust and on the Calcutta Improvement Trust. He was also a member of other public bodies during his long stay in India for over 48 years.

The late Mr. Phelps sets a splendid example of the European who does his utmost for the land of his adoption.

I am sure that members will desire that a message of sympathy shall be conveyed to his bereaved family.

I will now ask members to endorse what I have said by kindly rising in their places.

(All the members then rose in their places.)

Mr. PRESIDENT: Thank you, gentlemen. The Secretary will please take the usual steps.

Election of members to the Public Accounts Committee.

Mr. PRESIDENT: Gentlemen, I have an announcement to make. Hon'ble members are aware that a ballot was held on Friday last to elect 3 members to the Public Accounts Committee, and you will be interested to know the names of the members who have been elected. They are—

(1) Khan Bahadur Maulvi Alimuzzaman Chaudhuri,

(2) Mr. Narendra Kumar Basu, and

(3) Mr. Mukunda Behary Mullick.

Starred Questions

(to which oral answers were given).

Rent execution cases in Raiganj Munsif's Court, Dinajpur.

***58. Maulvi HASSAN ALI:** (*a*) Is the Hon'ble Member in charge of the Judicial Department aware that certified copies of decrees are called for in rent execution cases in the Raiganj Munsif's Court in the district of Dinajpur?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the special reasons for which such copies are called for?

(*c*) Is the Hon'ble Member satisfied as to the adequacy of such reasons?

(*d*) What is the total number of rent execution cases pending in the Raiganj Munsif's Court?

(*e*) In how many rent execution cases copies of decrees were called for?

(*f*) Is section 148 (*n*) of the Bengal Tenancy Act strictly followed in that Court?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) and (*b*) Certified copies of decrees are called for in some cases for special reasons, usually because all the necessary particulars are not available in the Rent Suit Register.

(*c*) The matter is one of judicial discretion.

(*d*) 873 cases.

(*e*) In 5 cases, but parties filed copies voluntarily in 430 cases.

(*f*) Yes.

Standing Committee on Judicial and Jails Departments.

*59. **Mr. NARENDRA KUMAR BASU:** (*a*) Will the Hon'ble Member in charge of the Judicial and Jails Departments be pleased to state why no meeting of the Standing Committee attached to the departments has been held since the formation of the present Committee?

(*b*) Has there been any consideration since of—

(*i*) any major question of departmental policy;

(*ii*) any scheme involving large expenditure; and

(*iii*) annual report of the department?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) and (*b*) There was no meeting of the Standing Committee because no occasion arose for the consideration of any of the matters mentioned in (*b*).

Mussalman Wakf Act, 1923.

*60. **Maulvi ABDUL GHANI CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether the Mussalman Wakf Act, 1923 (XLII of 1923), has been given effect to in all the districts of Bengal? If not, why not?

(*b*) Have any steps been taken or do the Government contemplate taking any step to give effect to the said Act?

(*c*) Is the Hon'ble Minister aware that the said Act was extended to the Presidency of Bengal from the 1st June, 1927, by a notification, No 230 T. Misc., dated the 5th May, 1927, published in the "Calcutta Gazette" of the 19th idem?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*), (*b*) and (*c*) Government have extended the Act to all districts of Bengal with the exception of certain portions of section 6. They have issued Rules under section 11 and have designated a Court for Calcutta under section 2 (*b*).

No other action is required of Government by the Act.

Prayer-room attached to the Chittagong Court building.

*61. **Haji BADI AHMED CHOWDHURY:** (*a*) Is the Hon'ble Member in charge of the Judicial Department aware—

(*i*) that the prayer-room attached to the Chittagong Court building allotted to Moslems is too small to accommodate the Muhammadans; and

(*ii*) that people have to say their prayers on Fridays exposed to rains and the scorching rays of the sun?

(*b*) Are the Government considering the desirability of providing in future sufficient space to the north-east corner of the Court building on the Fairy Hill just to the west of the stamp vendors' stall or in any other suitable place?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) The room lent by the Collector to the Muhammadans can accommodate about 30 persons.

(*ii*) The majority of people assembled say their prayers either under a *shamiana* in front of the prayer-room or in two mosques, both of which are within 5 minutes' walk from the Court building.

(*b*) No.

Distress in the province.

*62. **Babu SATYENDRA NATH ROY:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether famine conditions are prevalent in some districts of the province?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) in which districts;

(*ii*) whether there has been any death from starvation; and

(*iii*) what steps have been taken by Government?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) No.

(*b*) Does not arise.

Mr. SYAMAPROSAD MOOKERJEE: If there is no famine in the province, will the Hon'ble Member be pleased to explain why, in item 53 of the agenda, Government is asking for an additional grant of Rs. 30,000 under the head "Famine Relief"?

The Hon'ble Sir PROVASH CHUNDER MITTER: Because under that head, it is necessary to arrange for money in case of food scarcity in certain areas.

Maulvi HASSAN ALI: Will the Hon'ble Member be pleased to state whether the Government is aware that a man named Akber Fakir of Bisa, Enayetpur, police-station Nawabganj in Dinajpur district, committed suicide on account of starvation on the 4th July? And another man named Sahar Fakir of village Dudhegreti, police-station Goghat of Dinajpur district, also died by shutting himself up for days together in his room on account of starvation?

The Hon'ble Sir PROVASH CHUNDER MITTER: We have no information, at any rate I do not remember.

Babu SATISH CHANDRA RAY CHOWDHURY: Is the Hon'ble Member aware that there is very grave distress in Bengal for want of food and want of money?

The Hon'ble Sir PROVASH CHUNDER MITTER: No, so far as want of food is concerned, but there is distress even for want of food in a few areas.

Restricting persons from loitering in the streets after 10 p.m. in certain areas of Calcutta.

***63. Babu PROFULLA KUMAR GUHA:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether a circular has been issued recently, restricting persons from loitering in the streets after 10 p.m. in certain areas of Calcutta?

(*b*) Is it a fact that, on the strength of this circular, even respectable persons are being harassed unnecessarily by the local police even before 10 p.m.?

(*c*) Was this circular issued by the Government or by the Calcutta Police?

(*d*) If it was by the Calcutta Police, will the Hon'ble Member be pleased to state whether he was aware of it?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) No. Owing to the prevalence of violent crime, steps have, however, been taken by the Commissioner of Police to comb out certain areas in the North District which are frequented by prostitutes and bad characters.

(*b*) No respectable persons are being interfered with.

(*c*) and (*d*) Do not arise.

Police raid of village Shahash (Khulna).

*84. **Maulvi SYED JALALUDDIN HASHEMY:** (*a*) Is the Hon'ble Member in charge of the Police Department aware that on the 12th June, 1931, an assistant sub-inspector of police of the Dumuria police-station in the district of Khulna, with some constables, raided the house of one Salem Fakir of village Shahash on suspicion to recover stolen property?

(*b*) Is it a fact that the said Salem Fakir was not at home when the search was being made?

(*c*) Is it a fact that his wife, who is only of 18 years of age, was the only inmate of the house at that time?

(*d*) Is it a fact that when Salem Fakir came back home in course of the search, he assaulted the police party and inflicted a serious injury on the person of the assistant sub-inspector?

(*e*) Is it a fact that on the 20th June last, one week after the occurrence, the Superintendent of Police (Khulna), with a police force of 120 strong, raided the village Shahash and completely demolished half the huts of the village?

(*f*) Is it a fact that the said Superintendent of Police compelled the inmates of at least one dozen houses to surrender all their belongings—paddy, rice, utensils, beddings and food-stuffs and everything was destroyed?

(*g*) Is the Hon'ble Member aware that all the male and female members of those houses were completely stripped naked and were severely beaten and all sorts of inhuman atrocities were committed on (1) Salem Fakir's wife, (2) Moez Fakir's wife, (3) Aftab Fakir's wife, (4) Zaed Fakir's wife and (5) Hosain Peada's wife?

(*h*) Is it a fact that crops of the field of the village, green cocoanuts and fish of the tank have been looted and destroyed by police?

(*i*) Is it a fact that the Khulna District Congress Committee have appointed a committee to inquire into the police atrocities at Shahash?

(*j*) Are the Government considering the desirability of inquiring into the details of the matter and taking action against the said Superintendent of Police?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) and (*b*) Yes.

(*c*) No. Salem's father and brother, among others, were present.

(*d*) Yes. The assistant sub-inspector was struck on the head with an axe and is still in hospital owing to injury.

(*e*) The Superintendent of Police raided the village on the morning of the 20th June. He had 45 police and some 50 dafadars and chaukidars with him, and came to execute warrants against 25 absconders, living in 18 houses. He surrounded and searched these 18 houses. The statement that he demolished half the huts of the village is entirely contrary to the facts.

(*f*) No. The properties of 12 absconders were attached in accordance with the warrants.

(*g*) and (*h*) No. These allegations are false.

(*i*) Government have no information of this.

(*j*) No. Though the District Magistrate was halting in the neighbourhood of Shahash on 23rd, 24th, 25th June, no complaint or information against the conduct of the Superintendent of Police or his force was submitted to him.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state whether it is a fact that Salem Fakir's wife, when she went to Khulna to make a complaint, was detained there under arrest for some time by the police and then sent back?

The Hon'ble Mr. W. D. R. PRENTICE: I want notice.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether a responsible officer inquired into the allegations after Government received notice of this question?

The Hon'ble Mr. W. D. R. PRENTICE: The answer is given in the paper.

Maulvi SYED JALALUDDIN HASHEMY: Is the Hon'ble Member aware that in obedience to the Congress resolution, Mr. Hashemy went and inquired into the matter, and published a report of the inquiry in the Press?

The Hon'ble Mr. W. D. R. PRENTICE: No.

Dacoities committed in Mymensingh district.

*85. **Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state—

(*i*) how many persons in all were arrested in connection with the dacoity committed at village Jaraitala, police-station Nikly, Mymensingh, on the 26th November, 1930;

(*ii*) when were the accused finally discharged for want of evidence;

(*iii*) whether informant named any of the accused arrested; and

(*iv*) how many of the accused in connection with the Jaraitala dacoity were re-arrested in connection with the train dacoity between Sohagy and Atharabari and how many days after their discharge in the former case?

(*b*) Is it a fact that the failure of these dacoity cases is due in part to the fact that the suspicion of the police is confined to a select list of young men engaged in Congress or similar activities and to their failure to carry on investigation on independent and scientific lines?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) 12.

(*ii*) On the 9th April, 1931.

(*iii*) No. The informant was a chaukidar who had no knowledge of the details of the occurrence.

(*iv*) Six. They were re-arrested five days after their discharge in the Jaraitala case.

(*b*) No.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state what were the indications for which even without evidence this man was detained for 4 or 5 months?

The Hon'ble Mr. W. D. R. PRENTICE: Because the case was under investigation.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether it is allowed by law that persons should be detained in jail simply because there is an investigation proceeding, if there is no evidence against them?

The Hon'ble Mr. W. D. R. PRENTICE: I did not say there was no evidence, there was evidence, but this was not sufficient, as was found after investigation, to run a case.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether he satisfied himself by looking through the record of the case, that there was any excuse for the detention of this man?

The Hon'ble Mr. W. D. R. PRENTICE: No, I am afraid I did not read through the papers.

Dacoities in the different districts of Bengal.

*66. **Maulvi SYED JALALUDDIN HASHEMY:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a statement showing separately from the 1st day of January, 1931, to the 30th June, 1931—

(*i*) the number of dacoities and dacoity cases in different districts of Bengal;

(*ii*) in how many cases the accused persons have been ultimately convicted;

(*iii*) in how many cases the accused persons have been acquitted; and

(*iv*) how many cases of these dacoities are of a political nature?

(*b*) To what causes do the Government attribute the increasing number of dacoities?

(*c*) What remedy do the Government suggest to cope with the situation in order to ensure safety of life and property of the public at large?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) Statement laid on the table.

(*b*) The increase is due to hardship caused by the economic situation combined with the spirit of lawlessness and contempt of authority engendered by the civil disobedience movement.

(*c*) An increase in the strength of the police force, the organisation of dacoity patrols, and village defence parties, and closer co-operation between the presidents of union boards, members of the public and the police in the detection and prevention of crime. Steps are already being taken to this end.

Statement referred to in the answer to clause (a) of starred question No. 66.

Serial No.	District.	Number of dacoities reported up to June, 1931 (from 1st January, 1931 to 30th June, 1931).	Number of cases in which accused persons have been convicted.	Number of cases in which accused persons have been acquitted.	Number of cases which are of political nature.	Additional information. Number of cases in which charge-sheets were submitted.	Additional information. Number of cases pending in Court.
1	Bakarganj	79	1	1	..	17	15
2	Bankura	13	..	1	..	2	1
3	Birbhum	36	..	..	..	2	2
4	Bogra	70	..	..	..	7	7
5	Burdwan	68	..	..	..	12	12
	Asansol	11	..	..	..	..	..
6	Chittagong	35	..	..	1	4	4
7	Dacca	82	..	1	..	8	7
8	Darjeeling	2	..	..	..	1	1
9	Dinajpur	96	1	2	..	4	1
10	Faridpur	25	..	1	2	4	3
11	Hooghly	41	..	..	..	2	2
12	Howrah	36	..	1	..	5	4
13	Jalpaiguri	28	..	..	..	1	1
14	Jessore	29	..	..	..	10	10
15	Khulna	48	..	1	..	5	4
16	Malda	38	..	2	..	5	3
17	Midnapore	191	3	..	..	14	11
18	Murshidabad ..	36	1	1	..	12	10
19	Mymensingh ..	91	..	1	3	15	14
20	Nadia	84	..	2	..	9	7
21	Noakhali	1	..	..	..	1	1
22	Pabna	36	..	..	..	7	7
23	Rajshahi	52	..	..	1	9	9
24	Rangpur	113	..	..	..	9	9
25	Tippera	28	1	..	..	6	5
26	24-Parganas ..	76	..	..	..	10	10
27	E. I. Railway, Howrah ..	1	..	..	..	..	..
28	E. B. and A. B. Railways, Saidpur	2	..	..	1	..	..
29	E. B. Railway, Sealdah ..	1	..	..	..	..	..

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state if it is a fact that one of the causes for all this dacoity is the taking away of guns from the general public during the civil disobedience movement?

The Hon'ble Mr. W. D. R. PRENTICE: Not to my knowledge.

Maulvi HASSAN ALI: Will the Hon'ble Member be pleased to state whether it is a fact that most of these dacoities are due to economic distress in Bengal?

The Hon'ble Mr. W. D. R. PRENTICE: I must refer the member to the answer to clause (*b*).

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state if it is not a fact that a large number of thieves and dacoits were released from jails to make room for civil disobedience prisoners?

The Hon'ble Mr. W. D. R. PRENTICE: Some short-term prisoners were released. I am not aware that they were thieves and dacoits.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state if he would consider the desirability of granting an increased number of licenses for guns and revolvers in order to meet the situation?

The Hon'ble Mr. W. D. R. PRENTICE: The granting of licenses is a matter for local officers entirely.

Posting of an executive officer of backward class at Gopalganj.

***67. Mr. SARAT CHANDRA BAL:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state the names of officers, belonging to the backward classes, in the Bengal Provincial Civil Service?

(*b*) Is the Hon'ble Member aware that there are no executive officers, belonging to the backward classes, in the subdivision of Gopalganj?

(*c*) Is it a fact that the backward classes are the predominant population in the said subdivision?

(*d*) Are the Government considering the desirability of posting some executive officers of the backward classes in the said subdivision?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) (1) Kumud Bihari Mallik, (2) Surendra Mohan Bhaumik, (3) Surendra Nath Biswas, (4) Kuladaranjan Das Sarkar.

(*b*) and (*c*) Yes.

(*d*) No.

Strike in the Kamarunnessa Girls' School at Dacca.

*68. **Rai Bahadur KESHAB CHANDRA BANERJI:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(i) whether he is aware of the recent strike of girl students in the Kamarunnessa Girls' School at Dacca; and

(ii) the etiology and the circumstances that led to the strike?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (i) and (ii) Government have no information.

3-15 p.m.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state whether the matter was brought to his notice when he went to Dacca recently?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes, unofficially.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state whether the members of the Managing Committee of the Kamarunnessa Girls' School and some guardians asked him to help them to bring about an amicable settlement of the dispute that led to the strike?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No, Sir.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state what is the difference between an official compartment and unofficial compartment?

(No answer.)

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state why the news of the strike was brought to his notice unofficially and not officially?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Some members in their private capacity came to see me and there was an informal discussion. There was no official information of this. It is a private school and in its normal course would not come up to Government.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state whether in view of the urgency and seriousness of the matter, he thought it proper to bring it to the notice of Government?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It has nothing to do with Government. It is a privately managed school and Government only makes it a grant.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state what he understood by the words "etiology that led to the strike"?

(Laughter.)

Electric supply in Darjeeling.

***69. Mr. S. M. BOSE:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether the Government have received an application from the Darjeeling Municipality for a loan for the improvement of electric supply in Darjeeling?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the date of receipt and the result of the application?

(*c*) Is it a fact that the Government have been asked by the Municipality to sanction an estimate for the immediate and urgently required improvement of the Darjeeling electric supply?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state when the estimate was received and whether the Government have sanctioned the estimate?

(*e*) Will the Hon'ble Member be pleased to state whether the Government have received an application for "The Himalaya Electric License" from Messrs. Callender's Cable and Construction Co., Ltd.?

(*f*) Is it a fact that the said Company is attempting to buy up the electric supply rights of the Municipality?

(*g*) Is it a fact that the terms offered by the said Company to the Municipality are disadvantageous to the Municipality and to the public?

(*h*) Will the Hon'ble Member be pleased to state whether the Chief Electrical Adviser to the Government is seeking to put pressure on the Municipality to induce them to come to terms with the said Company?

(*i*) Will the Hon'ble Member be pleased to state whether it is not desirable that, pending the forthcoming constitutional changes, no license or monopoly in a key industry should be granted to the said Company which is a foreign corporation?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) No.

(*b*) Does not arise.

(*c*) Yes.

(*d*) On 11th March, 1931; no.

(*e*) Yes, such an application was received in the Commerce Department.

(*f*) The Company has made alternative offers to the Municipality: one is to take over their license on certain terms; the other is to supply energy in bulk to the Municipality as licensee.

(*g*) This is a matter on which Government cannot express an opinion at the present stage.

(*h*) No.

(*i*) Government are not prepared to hold up electric licenses because of the impending constitutional changes. The Company concerned is a British Company, and Government in the Commerce Department could not have any justification to hold up licenses when they were satisfied that the application was made in conformity with the provisions of the Indian Electricity Act, and it has been, and will continue to be, treated like all similar applications made under the Act.

Mr. S. M. BOSE: As regards answer to clause (*d*), will the Hon'ble Member be pleased to state when the Government is likely to approve or express an opinion as regards the estimate of repairs?

The Hon'ble Sir PROVASH CHUNDER MITTER: As far as I am aware the need for sanctioning the estimate mentioned in the letter of 11th March has ceased as the Municipality has taken other steps. But if the questioner wants more definite information I must ask for notice.

Economy in the provincial expenditure.

***70. Babu KISHORI MOHAN CHAUDHURI:** Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether, in view of the great economic pressure prevailing all over the country, Government are considering the desirability of practising the utmost economy in the provincial expenditure by—

(*i*) stopping the autumn hill exodus;

(*ii*) abolishing the School inspectorships;

(*iii*) abolishing the posts of Deputy Superintendent of Police; and

(*iv*) abolishing the posts of Circle Officers?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*), (*ii*), (*iii*) and (*iv*) No.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state on what lines Government are practising or propose to practise economy?

The Hon'ble Mr. W. D. R. PRENTICE: I am afraid I have got nothing to do with the finances of the Government of Bengal.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether there is at present any scheme of retrenchment before Government?

The Hon'ble Mr. W. D. R. PRENTICE: You must go to the Hon'ble Member in charge of the Finance Department.

Leprosy and tuberculosis in Kalighat.

***71. MUNINDRA DEB RAI MAHASAI:** (*a*) Has the attention of the Hon'ble Minister in charge of the Local Self-Government Department been drawn to the reference to a locality in Kalighat called Mukherjeepara made by me as reported in page 663 of the Council Proceedings of 28th March, 1931, where there are tuberculosis patients in almost every family, and to the statement published by the Kalighat People's Association about the spread of leprosy in Kalighat where about 40 middle-class families have been affected by leprosy?

(*b*) Is the Hon'ble Minister aware that 35 lepers habitually sit on the Kali's Temple Road exposing their sores to public view to attract public sympathy?

(*c*) Is the Hon'ble Minister aware that some of these lepers take shelter in the Dharamsala, use the public bathing ghat and urinal and go to market and sell the rice received as alms from the public?

(*d*) Will the Hon'ble Minister be pleased to state what action do the Government propose to take to segregate the lepers and what special measure do they propose to take to prevent the spread of tuberculosis in Kalighat?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) Yes.

(*b*) and (*c*) It is believed that lepers are included among those soliciting alms on the roadside, but Government have no precise information as to their numbers or their practices.

(*d*) Prevention against leprosy and tuberculosis in Kalighat is primarily the concern of the Health authorities of the Calcutta Corporation, to which a copy of this question will be sent. The Chief

Executive Officer has already been asked to report on a petition about leprosy which is apparently that referred to in paragraph (*a*) of the question.

MUNINDRA DEB RAI MAHASAI: Will the Hon'ble Minister be pleased to state whether it is not the duty of Government to see that leprosy and tuberculosis do not spread amongst the people?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Government has already taken steps in the matter. The matter has been referred to the Corporation whose primary duty it is to look into the question.

MUNINDRA DEB RAI MAHASAI: Will the Hon'ble Minister be pleased to state what the Government has done for Kalighat and what has the Corporation done for it?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The Government has not yet taken any steps. As regards the Corporation I want notice.

Mr. P. BANERJI: Will the Hon'ble Minister be pleased to state what steps the Government have taken to inform the Commissioners of the Corporation?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The petition has been sent to the Corporation for a report.

Mr. P. BANERJI: Will the Hon'ble Minister be pleased to state whether he considers it sufficient only to refer the matter to the Corporation of Calcutta or whether he thinks that the problem is of such magnitude as to make it the concern of the Government as a whole and of the Corporation?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The Calcutta Corporation can be relied on in this matter. They are responsible for it and they can tackle it best.

Arrests in connection with the dacoity committed in the house of Pandit Kalis Chandra Bhattacharya at Josodol, Mymensingh.

*72. **Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state—

(*i*) when and how many persons were arrested in connection with the dacoity committed in the house of Pandit Kalis Chandra Bhattacharya at Josodol, police-station Kishoreganj (Mymensingh);

(*ii*) how many of these persons arrested are Congress workers;

(*iii*) how many persons were released on bail and when; and

(*iv*) whether all the accused have been finally discharged and the case disposed of? If so, when?

(*b*) Is it a fact that the police persistently opposed bail being granted by the court to most of the accused for well-over four months?

(*c*) Is it a fact that up to the day of final discharge of the accused the police failed to produce any evidence before the court to justify the detention of the accused?

(*d*) Is it a fact that some of the accused are young school students and have suffered serious damage by reason of such detention?

(*e*) Do the Government propose to take any steps to prevent a recurrence of indiscriminate arrests and long detention?

(*f*) Is the Hon'ble Member aware that public confidence in the police has been shaken by these arrests and detention?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) Thirty-five persons were arrested between the 5th November, 1930, and the 3rd February, 1931.

(*ii*) Government have no information on the point. It is reported, however, that the arrested persons were members of the Young Comrades League.

(*iii*) Twenty persons were released on bail, one on the 5th December, 1930, one on the 27th January, 1931, one on the 11th March, 1931, two on the 17th March, 1931, one on the 22nd March, 1931, two on the 27th March, 1931, one on the 3rd April, 1931, one on the 10th April, 1931, two on the 17th April, 1931, four on the 18th April, 1931, and four on the 19th April, 1931.

(*iv*) Yes, on the 2nd May, 1931. The case was declared true under section 395 of the Indian Penal Code.

(*b*) The police opposed bail at the beginning of the investigation, as there was sufficient indication that the arrested persons were implicated in the case.

(*c*) No. Two of the accused confessed to the police and to a Magistrate, and this evidence was produced before the Court.

(*d*) Some of the accused were students at school, and their implication in the case no doubt interfered with their studies.

(*e*) No. There is no reason to believe that the arrests made in this case were indiscriminate.

(*f*) No.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether there was any indication except confessions to show that the case would end in conviction?

The Hon'ble Mr. W. D. R. PRENTICE: I might suggest that these were very good indications.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state how long after the arrests the confessions were recorded?

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state if the fact of the dacoity was proved against all the 35 persons arrested?

The Hon'ble Mr. W. D. R. PRENTICE: The fact of dacoity was proved and there was sufficient evidence to justify the charge against the persons mentioned in the report being investigated.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state how many persons were convicted?

The Hon'ble Mr. W. D. R. PRENTICE: The case has been declared true. There was no trial or conviction.

Release of Babu Chandra Kumar Biswas of Kishoreganj.

*73. **Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state when was Babu Chandra Kumar Biswas, a senior pleader of Kishoreganj town, released from the Dum Dum Jail where he had been imprisoned in connection with picketing ordinances?

(*b*) How many times since his release has his house at Kishoreganj (Mymensingh) been searched by the police and in what connections?

(*c*) Was anything incriminating found in his house in connection with any of those searches?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) On 10th October, 1930.

(*b*) Three times, in connection with dacoities in which his son was reported to be concerned.

(*c*) No.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether the son referred to in (*b*) has been convicted in any case?

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice.

With reference to (*c*) subsequent inquiry has shown that the answer ought to be "No."

Namasudras and Police Sub-Inspectorship.

*74. **Babu AMULYADHAN RAY:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state how many sub-inspectors of police have been appointed from the Presidency Range since the year 1927?

(*b*) Is it a fact that there is not a single Namasudra sub-inspector of police belonging to the Presidency Division in the whole Police service of Bengal?

(*c*) Will the Hon'ble Member be pleased to state—

(*i*) how many candidates belonging to the Namasudra community of the Presidency Division were there from each of the districts in the Presidency Range since the year 1927;

(*ii*) what were their educational qualifications;

(*iii*) whether any of them were nominated by the District Committee, and

(*iv*) whether any of them were appointed?

(*d*) Is it a fact that the age restrictions of some candidates were condoned and they were appointed?

(*e*) If so, how many over-aged candidates have been appointed as sub-inspector of police in the Presidency Range since the year 1927?

(*f*) Is the Hon'ble Member considering the desirability of issuing instructions to the appointing authorities to favourably consider the cases of the Namasudra candidates in future?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) 33.

(*b*) Government are not in possession of the information required to answer this question.

(*c*) (*i*), (*ii*), (*iii*) and (*iv*) The information is contained in the statement laid on the table.

(*d*) Yes.

(*e*) 7.

(*f*) No. Special consideration is already given to the claims of Namasudras in this matter.

Statement referred to in the reply to clause (c) of starred question No. 74, showing the number of Namasudra candidates for the post of Sub-Inspector.

District.	Number of candidates belonging to the Namasudra community who applied for the post of Sub-Inspector.	Educational qualifications.	Whether any of these candidates were nominated by District Committee.	Whether any of these candidates were appointed.
		1927.		
Murshidabad ..	1 ..	B.A. failed ..	No ..	No.
Jessore ..	5 ..	3 (I.A.) ..	No ..	No.
		2 (Matriculates).		
Khulna ..	2 (one of whom was under the standard height).	Up to B.A. class ..	No ..	No.
		1928.		
Murshidabad ..	1 ..	B.A. failed ..	No ..	No.
Jessore ..	3 ..	2 B.A. ..	No ..	No.
		1 (Matriculate).		
Khulna ..	1 (under the standard height).	B.A. ..	No ..	No.
		1929.		
Murshidabad ..	....	....	..	..
Jessore ..	6 ..	3 B.A. ..	1	1
		3 (Matriculates).		
Khulna ..	2 ..	1 B.A. ..	No ..	No.
		1 (Matriculate).		
		1930.		
Murshidabad ..	....	....	..	..
Khulna ..	*6 (one of whom was under age and another under standard height).	2 B.A. .. 1 B.A. failed. 1 I.A. 2 (Matriculates).	No ..	No.
Jessore ..	3 ..	3 I.A. ..	1	No.

*Three of the candidates did not appear before the Committee.

Babu AMULYADHAN RAY: Will the Hon'ble Member be pleased to state what are the circumstances that led to the appointment of seven over-age candidates as sub-inspectors of police in the Presidency Range since the year 1927?

The Hon'ble Mr. W. D. R. PRENTICE: I am afraid I cannot give you any information on that point.

Babu AMULYADHAN RAY: Will the Hon'ble Member be pleased to state that when seven disqualified candidates were appointed why qualified candidates belonging to the Namasudra community were not appointed?

The Hon'ble Mr. W. D. R. PRENTICE: Selections are made by a Selection Committee who see the candidates and make their selections on considerations of qualifications, educational or otherwise.

Babu AMULYADHAN RAY: Will the Hon'ble Member be pleased to state whether the appointing authority sees that the appointed candidates possess all the required qualifications?

The Hon'ble Mr. W. D. R. PRENTICE: I cannot say what weighed with the Selection Committee in making their nominations.

Promotion of Namasudra Kanungoes and Sub-Deputy Collectors.

***75. Babu AMULYADHAN RAY:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state how many under-graduate Kanungoes have been promoted to the rank of Sub-Deputy Collectors since the year 1908?

(*b*) What are their names?

(*c*) How many of them have again been promoted to the rank of Deputy Collector?

(*d*) Are the Government aware that there are graduate Namasudra Kanungoes or Revenue Officers?

(*e*) If so, what are their names and what is the date of their appointments?

(*f*) Has any of them been promoted to the rank of Sub-Deputy Collectors?

(*g*) How many Sub-Deputy Collectors belonging to the Namasudra community are there in Bengal?

(*h*) Has any of them been promoted to the rank of Deputy Collectors since the year 1914?

(*i*) Will the Government be pleased to send a copy of the above questions and answers to the District Magistrates, Divisional Commissioners and Commissioners' conference to be held for the purpose?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*), (*b*) and (*c*) A statement is laid on the table.

(*d*) Yes. Two.

(*e*) (1) Sidheswar Haldar—31st October, 1906.

(2) Jogendra Nath Mallik—2nd November, 1920.

(*f*) No.

(*g*) Three have been appointed since 1924. Information concerning the caste of Sub-Deputy Collectors appointed before that date is not available.

(*h*) Definite information except for the year 1922 and subsequent years is not available. But as far as is known, no such promotion has occurred since 1914.

(*i*) Government are not prepared to take this step. Promotions to Bengal Junior Civil Service and Bengal Civil Service are made entirely by merit and not on any caste or communal basis.

Statement referred to in the reply to clauses (a), (b) and (c) of starred question No. 75.

UNDER-GRADUATE KANUNGOES PROMOTED TO THE BENGAL JUNIOR CIVIL SERVICE.

*(1) Brojendra Nath Das Gupta.

*(2) Chintaharan Das Gupta.

(3) Sridhar Mazumdar.

(4) Rai Charan Pal.

(5) Anath Bandhu Chatarji.

(6) Rajendra Narayan Rakshit.

*Indicates names of officers promoted to the Bengal Civil Service (Executive).

(7) Madhu Sudan Gupta.
(8) Akshay Kumar Ghosh.
(9) Minnat Ali.
(10) Khan Sahib Abdul Latif Chaudhuri.
(11) Nuruddin Ahmad.
(12) Janaki Bhusan Singh.
(13) Ratan Lal Das Gupta.
(14) Phanindra Bhusan Mitra.
(15) Dhurjati Kumar Datta.
(16) Prabhat Chandra Banarji.
(17) Muhammad Ilahdad.
(18) Hem Chandra Sen.
(19) Shashi Bhusan Ghosh.
(20) Fazlal Karim (I).
(21) Charu Chandra Bhattacharji.
(22) Shaikh Abdullah.
(23) Ashutosh Chaudhuri.
(24) Pramada Kumar Basu.
(25) Kazi Fazlal Karim.
(26) Bir Chandra Mukharji.
(27) Nazir Hussain.
(28) Akhil Chandra Gangali.
(29) Fazlal Karim (II).
(30) Upendra Nath Gangali.
(31) A. K. M. Saiyid.
(32) Digendra Prasad Nag.
(33) Ashutosh Das Gupta.
(34) Purnendu Nath Guha.
(35) Saiyid Abu Saiyid.
(36) Praphulla Chandra Banarji.
(37) Muzafar Ali.
(38) Birinchi Lal Ray.
(39) Krishna Kamal Datta.
(40) Taheruddin Ahmad.
(41) Satish Chandra Acharji.
(42) Hangsa Prasad Rai.

Shifting of the Faridpur railway station.

*76. **Maulvi TAMIZUDDIN KHAN:** Will the Hon'ble Member in charge of the Public Works (Railways) Department be pleased to state—

(*a*) whether any decision has yet been arrived at regarding the question of shifting the Faridpur railway station to a more convenient site, or in the alternative, of improving its condition;

(*b*) if the answer to (*a*) is in the negative, will the Hon'ble Member be pleased to state whether the question is still under consideration and whether a decision can be expected in the near future?

MEMBER in charge of PUBLIC WORKS (RAILWAYS) DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) and (*b*) The member is referred to the reply given on the 24th July, 1931, to starred question No. 54 by Rai Sahib Akshoy Kumar Sen on this subject.

Dolaikhal at Dacca.

*77. **Babu SATYENDRA KUMAR DAS:** Will the Hon'ble Member in charge of the Irrigation Department be pleased to state—

(*i*) whether necessary funds will be provided in the next year's budget for the Dacca canalisation of the Dolaikhal at Dacca; and

(*ii*) whether in the absence of funds from the Provincial revenues, Government desire to approach the Government of India for the issue of a loan for financing the scheme?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Ghuznavi): (*i*) It is not likely that funds will be provided in the next year's budget for the scheme.

(*ii*) No; in present conditions no useful purpose will be served by approaching the Government of India.

Babu SATYENDRA KUMAR DAS: Will the Hon'ble Member be pleased to state the reasons for making no provision of funds for the canalisation of the Dholaikhal?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: The reasons are patent.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether the inquiries which the District Magistrate of Dacca is making in connection with the Dholaikhal scheme are at the instance of Government?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I am afraid I have no information on that point.

Arrests in connection with the train dacoity in the Mymensingh district.

***78. Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state when and how many persons were arrested from the town of Kishoreganj in connection with the train dacoity on 10th April, 1931, between Sohagy and Atharabari in the Mymensingh district?

(*b*) Is it a fact that some of the arrested persons were released on bail, on 25th May, 1931, by the Subdivisional Officer, Sadar North, Mymensingh, on the ground that the police report disclosed that those persons were attending a public meeting at Kishoreganj at or about the time the dacoity was being committed at a distance of about 20 miles, when it was physically impossible for them to be present at the occurrence?

(*c*) Is it a fact that of the 21 persons arrested in connection with the said train dacoity, none have been identified by the witnesses, including the complainant, during test identification in the Mymensingh Jail?

(*d*) Did the police, before making the arrest, try to ascertain if the arrested persons were at their respective homes on the night of the dacoity?

(*e*) Is it a fact that on the night of occurrence one Babu Suresh Chandra Dutta of Chatal, a village 32 miles from the place of occurrence, was engaged in nursing his old father Babu Abhoy Chandra Dutta who was lying seriously ill of paralysis at his native village?

(*f*) If the answer to (*e*) is in the affirmative, did the police make any inquiry before making the arrest of Babu Suresh Chandra Dutta?

(*g*) Is it a fact that the said Babu Suresh Chandra Dutta was released on 15th February, 1931, in connection with Jaroitola dacoity by the Sessions Judge, Mymensingh, on grounds, amongst others, of the serious illness of his father?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) 21.

(*b*) to (*f*) The case is still under investigation, and Government are not prepared to make any detailed statement about the investigation.

(*g*) Yes.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state if the information asked for in (*e*) and (*f*) is public property and is laid before the House how will it prejudicially affect the case?

The Hon'ble Mr. W. D. R. PRENTICE: I must refer to the answer already given.

Jurisdiction of Rajagaon in Dinajpur district.

*79. **Maulvi HASSAN ALI:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether the village Rajagaon on the extreme north of the Dinajpur district is within the civil, criminal and revenue jurisdictions of the Dinajpur district?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether he is aware that the said village Rajagaon has been treated practically as under the civil, criminal and registration jurisdictions of the police-station Chopra in the district of Purnea in the province of Bihar and Orissa for the last 70 or 80 years?

(*c*) If the answer to clause (*b*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons and circumstances which caused that anomaly?

(*d*) What is the boundary line between the two districts of Purnea and Dinajpur?

(*e*) Is it a fact that the river Nagor demarcates Dinajpur district from Purnea?

(*f*) Is it a fact that in the revenue map of Dinajpur district prepared in the year 1869 A.D., on the extreme north, there is a village named as Rajagaon-mongofa?

(*g*) If the answer to clause (*f*) is in the affirmative, will the Hon'ble Member be pleased to state whether the two names "Rajagaon" and "Mongofa" imply one and the same village?

(*h*) If the answer to clause (*g*) is in the affirmative, will the Hon'ble Member be pleased to state whether it is a fact that in

reality there are two such distinct villages named as Rajagaon and Mongofa, one separated from the other by the river Nagor, and the former has been administered civilly, criminally and in respect of registration, by the Purnea authorities under the Chopra police-station of that district, and the latter by Dinajpur authorities civil, criminal and registration?

(*i*) Are the Government aware of any anomalous and harmful consequences arising from this dubious jurisdiction of the village Rajagaon which has been so long treated as under the Purnea district for purposes of practical administration, both civil, criminal and registration?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: (*a*) According to the notification of 6th November, 1874, and the Revenue Survey map, the revenue survey village Rajagaon *oorf* Mangofa is within the boundary of Dinajpur district.

(*b*) It is reported that a portion of the revenue survey village is administered as part of Purnea district.

(*c*) It may be because the river Nagor passes through the revenue survey village.

(*d*) According to the notification of 6th November, 1874, the boundary is as defined on the Revenue Survey maps.

(*e*) No.

(*f*) There is a village named Rajagaon *oorf* Mangofa in the Revenue Survey map.

(*g*) The two names referred to one revenue survey village.

(*h*) Yes, but it is reported that they are included in the same revenue survey village.

(*i*) Government are not aware of any such consequences.

3-30 p.m.

Maulvi HASSAN ALI: With regard to answer (*b*), will the Hon'ble Member be pleased to state whether this portion includes the village Rajagaon?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I must ask for notice.

Mr. SHANTI SHEKHARESWAR RAY: With reference to answer (*b*), will the Hon'ble Member be pleased to state if any portion of the village is administered as part of the Dinajpur district?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I want notice of this question.

Maulvi HASSAN ALI: With regard to answer (c), will the Hon'ble Member be pleased to state whether the river Nagor passes through the village Rajagaon dividing it into two parts, one being called Rajagaon and the other Mangofa?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I am afraid that it is not possible to answer such questions offhand. I must ask for notice.

Maulvi HASSAN ALI: Will the Hon'ble Member be pleased to state what is the natural boundary line between the two districts of Dinajpur and Purnea? Is there any natural boundary line—I mean something like a river or a hill—between the two districts?

Mr. PRESIDENT: I do not allow that question. You are giving aud not seeking information.

Appointment to the Bengal Civil Service (Judicial).

***99. Mr. MUKUNDA BEHARY MULLICK:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state the number of appointments made to the Bengal Civil Service (Judicial) from January, 1927, up to May, 1930?

(*b*) Is it a fact that some of these appointments have been made from amongst the candidates who possess the minimum educational qualifications under the Rules?

(*c*) Is it a fact that there were candidates for appointments in this service from amongst the members of the backward (depressed) classes, and that at least some of them were M.A., B.Ls.?

(*d*) Will the Hon'ble Member be pleased to state whether any single appointment was made from amongst these candidates?

(*e*) If the answer to (*d*) is in the negative, will the Hon'ble Member be pleased to state the reasons therefor?

(*f*) Is the Hon'ble Member aware that at least a few appointments were made in 1929, amongst the candidates who were disqualified under the rules on the ground of age or other matters?

(*g*) If the answer to (*f*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons why they were so appointed?

(*h*) Is the Hon'ble Member aware that some of these appointments were also made from amongst the candidates who were found disqualified by the Government for other branches of the Bengal Civil Service?

(*i*) If the answer to (*h*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons for their appointment?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) 90.

(*b*) So far as Hindu candidates are concerned, with one exception in May last, the appointments were given to the best qualified candidates. So far as the Muhammadan candidates are concerned, the appointments were given to the best qualified among them. Out of 29 Muhammadans 21 have 1st class B.L. degree.

(*c*) and (*d*) Yes.

(*e*) Does not arise.

(*f*) Yes.

(*g*) The rule relating to age had not been strictly enforced in the past, and it was considered unduly harsh to enforce it without warning with respect to these candidates who had been selected for appointment by the court. It has been decided that the rule regarding age will not under any circumstances be relaxed in future.

(*h*) No.

(*i*) Does not arise.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state what is meant by the expression "best qualified candidates" in answer (*b*)?

The Hon'ble Mr. W. D. R. PRENTICE: Not having the list of candidates before me I cannot say.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state with reference to answer (*b*), what were the special reasons for making the exception in the case of the Hindu candidate?

The Hon'ble Mr. W. D. R. PRENTICE: I might again remind the hon'ble member that under the Act these appointments are made by the High Court and not by Government.

Mr. MUKUNDA BEHARY MULLICK: Is the Hon'ble Member aware that under the Bengal Civil Courts Act, Government is the appointing authority while the High Court is the nominating authority?

The Hon'ble Mr. W. D. R. PRENTICE: The position is that the High Court selects the candidates, while Government formally appoints them.

Babu JITENDRALAL BANNERJEE: On a point of information, Sir. Is there any difference between best qualified Hindu candidates and best qualified Muhammadan candidates?

The Hon'ble Mr. W. D. R. PRENTICE: Yes. The difference lies in the qualifications possessed by candidates of the two communities.

Babu JITENDRALAL BANNERJEE: I want to know the difference in this particular case?

The Hon'ble Mr. W. D. R. PRENTICE: The difference lies in the fact that some of the Hindu candidates had higher qualifications than some of the Muhammadan candidates.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state whether it is not a fact that some of the Hindu candidates had only ordinary B.L. qualifications?

The Hon'ble Mr. W. D. R. PRENTICE: I want notice of this question. If the member could furnish particulars, I would look into the matter.

Mr. MUKUNDA BEHARY MULLICK: With reference to answers (*c*) and (*d*), will the Hon'ble Member be pleased to state how many of these appointments were made?

The Hon'ble Mr. W. D. R. PRENTICE: I want notice of this question.

Mr. MUKUNDA BEHARY MULLICK: With reference to answer (*g*), will the Hon'ble Member be pleased to state how many of these candidates were selected and appointed?

The Hon'ble Mr. W. D. R. PRENTICE: I have not got the figures with me, and so I cannot answer the question. But so far as I remember, one appointment was made in 1929.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state with reference to answer (*h*) whether he is aware that candidates for appointment to the Bengal Civil Service (Executive) are sometimes rejected on the reports of District Officers if there is anything against their character?

The Hon'ble Mr. W. D. R. PRENTICE: The candidates appointed to the Bengal Civil Service (Executive) are selected by a selection board, and a report is obtained from District Officers regarding their antecedents and character.

Mr. MUKUNDA BEHARY MULLICK: Is the Hon'ble Member aware whether any of such candidates have found a place in the Bengal Civil Service (Judicial)?

The Hon'ble Mr. W. D. R. PRENTICE: I have no information.

Unstarred Questions

(answers to which were laid on the table).

T. B. Ward of Suri Jail.

44. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether it is a fact that the T. B. Ward of the Suri Jail is a narrow structure with corrugated iron walls and roof which become unbearably hot during the day-time and has been considered as unsuitable for the accommodation of suffering patients?

(*b*) Is it also a fact that both official and non-official visitors have made repeated recommendations for the improvement of the structure, or, failing that, for the transfer of the inmates to more suitable accommodation?

(*c*) If the answer to clause (*b*) is in the affirmative, will the Hon'ble Member be pleased to state what effect has been given to these recommendations?

(*d*) Is the Hon'ble Member aware that all the filth and refuse of the jail are allowed to accumulate near the above-mentioned ward before they are finally removed?

(*e*) Is it a fact that all the dirty water of the jail passes near the said T. B. Ward?

(*f*) Is it a fact that the corpses of jail inmates dying of infectious diseases like cholera and small-pox are kept for hours together at a place very near to the T. B. Ward before being finally disposed of?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) It is not a fact that the tuberculosis ward is a narrow structure. The dimensions are 130 feet by 28 feet. The lower portions of the walls are made of corrugated iron lined with asbestos, while the roof consists of galvanised iron sheeting lined with wood. The ward was excessively hot this year.

(*b*) Yes.

(*c*) Preparations have been made to carry out certain improvements, but they have had to be kept pending for want of funds.

(*d*) No. The filth is passed out to the south garden from an opening about 30 yards from the ward and is not allowed to accumulate.

(*e*) The bath-water passes through a drain in the tuberculosis ward, but no other dirty water goes near the ward.

(*f*) No. No corpses of persons who have died of infectious diseases are kept inside the jail. Convicts dying of other diseases are kept in a mortuary in one corner of the T. B. yard but never for more than 4 hours.

Character certificates for students of the medical schools.

45. Babu PROFULLA KUMAR GUHA: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether character certificates from honorary magistrates can be treated as those from gazetted officers in admitting students into medical schools?

(*b*) Is it a fact that honorary magistrates are not gazetted officers?

(*c*) Will the Hon'ble Minister be pleased to state why character certificates of students from honorary magistrates are treated as invalid by Government medical schools?

(*d*) Will the Hon'ble Minister be pleased to state what is the criterion to apply to ascertain who are gazetted officers and who are not?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) The rules as they stand do not bear specifically on this point, but the Surgeon-General is being requested to instruct Superintendents of Medical Schools that character certificates from honorary magistrates should be accepted for the purpose of candidature for admission to medical schools.

(*b*) Yes.

(*c*) See reply to (*a*).

(*d*) This paragraph goes beyond the scope of the Local Self-Government Department.

Khulna-Bagerhat Light Railway.

46. Mr. MUKUNDA BEHARY MULLICK: (*a*) Will the Hon'ble Member in charge of the Public Works (Railways) Department be pleased to state—

(*i*) whether he is aware that there is a light railway called the Khulna-Bagerhat Light Railway under the supervision and management of the (Government) Eastern Bengal Railway connecting the Central Section of the Main Line from Sealdah to Khulna with Bagerhat, one of the subdivisions of Khulna; and

(*ii*) whether he is aware that the recent change in the timings introduced in March last has caused great inconvenience to the passengers as they are made to wait at Khulna for several hours on the arrival at Khulna of each of the through trains from Sealdah?

(*b*) If the answers to (*a*) (*ii*) is in the affirmative, will the Hon'ble Member be pleased to state whether Government are considering the desirability of taking necessary steps to remove the grievances?

The Hon'ble Mr. A. MARR: (*a*) (*i*) Yes.

(*a*) (*ii*) and (*b*) No. The matter is one which should be referred to the Local Advisory Committee of the Eastern Bengal Railway.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state if it is not desirable in the interests of the travelling public that Government should direct the Local Advisory Committee to instruct the authorities of the railway concerned to remove the grievances?

The Hon'ble Mr. A. MARR: Government cannot direct the Local Advisory Committee, as it is not under their control.

Building for the Registration office at Bagerhat.

47. Babu SUK LAL NAG: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table the papers in connection with the proposal to construct a building of the Registration office in the headquarters of the subdivision of Bagerhat?

(b) Will the Hon'ble Minister be pleased to state when the building in question may be expected to be taken up and completed?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (a) A copy of Government order No. 454-Regn. of 7th May, 1928, is laid on the table.

(b) No forecast can be given.

Letter referred to in the reply to clause (a) of unstarred question No. 47.

No. 454-Regn., dated Calcutta, the 7th May, 1928.

From—B. B. Sarkar, Esq., M.A., Assistant Secretary to the Government of Bengal, Education Department,

To—The Inspector-General of Registration, Bengal.

With reference to your letter No. 3459, dated the 30th March, 1928, I am directed to convey the administrative approval of the Government of Bengal (Ministry of Education) to the project for the construction of a building for the office and quarters of the Sub-Registrar of Bagerhat in the district of Khulna at an estimated cost of Rs. 19,600.

Country spirit.

48. Babu HARIBANSA ROY: (a) Will the Hon'ble Minister in charge of the Agriculture and Industries (Excise) Department be pleased to state whether it is a fact that illicit distillation of country spirit is being carried on extensively in Calcutta and also in the districts of Howrah and the 24-Parganas?

(b) Has it been ascertained that the fall in the excise revenue in the year 1930-31 is due not simply to the civil disobedience movement but also to the growth of illicit distillation referred to in (a)?

(c) What steps, if any, do the Government propose to take in the matter?

MINISTER in charge of AGRICULTURE and INDUSTRIES (EXCISE) DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (a) Illicit distillation of country spirit has increased to some extent amongst the Chinese immigrants in the city of Calcutta and its environs, and amongst the Nepalese and other hillmen addicted to drinking spirits, who are working in the mills and other industrial concerns in Calcutta and the adjoining districts of 24-Parganas and Howrah.

(*b*) The fall in the Excise revenue in the year 1930-31 was due mostly to the civil disobedience movement and the very unfavourable economic conditions which prevailed during the year.

The fall due to increase in illicit distillation was insignificant compared to the loss on account of the reasons stated above.

(*c*) The detective staffs of the department are fully alive to the increase in illicit distillation and are active in suppressing the evil. Beyond effective detection and prosecution of offenders, Government do not propose to take any special steps in the matter.

Dacoities committed in Burdwan and Hooghly.

49. Mr. SAILESWAR SINGH ROY: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a comparative statement of the number of dacoities committed in the districts of Burdwan and Hooghly during the first six months of the years 1930 and 1931?

(*b*) In how many of these dacoities have the dacoits been detected and their convictions secured?

(*c*) Will the Hon'ble Member be pleased to state the reasons, if any, for the sudden rise in the number of dacoities and the steps taken to check them?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) and (*b*) Statement laid on the table.

(*c*) The increase is due to hardship caused by the economic situation combined with the spirit of lawlessness and contempt of authority engendered by the civil disobedience movement. Other causes are the failure of the public to co-operate with the police in dealing with crime, and the inadequacy of the police force. Where possible, special dacoity patrols have been formed, and the C.I.D. investigating staff have been working in the affected areas. Co-operation meetings of the presidents of union boards, members of the public and the police are being organised in the thanas to discuss the situation and devise means of checking crime, and wherever possible, village defence parties have been formed. In Burdwan a special investigating staff has been sent to deal with dacoities, and a gang case has recently been started.

A comparative statement, referred to in the answer to clauses (a) and (b) of unstarred question No. 49, of the number of dacoities committed in the districts of Burdwan and Hooghly during the first six months of the years 1930 and 1931.

DACOITIES REPORTED.

(a)

District.	Up to June, 1930.	Up to June, 1931.
Burdwan	60	79
Hooghly	33	41

(b)

District.	Up to June, 1930.		Up to June, 1931.	
	Case in which charge-sheet was submitted.	Cases ended in conviction.	Cases in which charge-sheet was submitted.	Cases ended in conviction.
Burdwan ..	9	2	12	All pending.
Hooghly ..	4	2	2	Both pending.

Process-servers.

50. Maulvi ABDUL HAMID SHAH: Will the Hon'ble Member in charge of the Judicial Department be pleased to lay a statement on the table showing for the last three years—

(i) how many process-servers capable of performing their work according to the Judicial Department letter No. 71, dated the 30th April, 1928, have been compelled to retire;

(ii) how many representations have been submitted to the Government in respect of forced retirement of process-servers medically fit to work; and

(iii) what action, if any, have the Government taken on the representations?

The Hon'ble Mr. W. D. R. PRENTICE: (i) None, during years 1928-30.

(ii) Fifteen representations from Civil Court process-servers who had been directed to retire were received during these years.

(iii) In all save three cases, Government declined to interfere on ground that on each case the District Judge had certified the incapacity of the process-servers for further work.

Process-servers.

51. Maulvi ABDUL HAMID SHAH: Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing for each of the last three years—

(*i*) what amount has been realized from the Civil and Criminal Courts separately, in the shape of process fees;

(*ii*) what amount has been spent by the Government in the Civil and Criminal Courts separately, in the shape of the pay of process-servers; and

(*iii*) what has been the total number of process-servers employed in the Civil and Criminal Courts separately?

The Hon'ble Mr. W. D. R. PRENTICE:

(*i*)

	1927.	1928.	1929
	Rs.	Rs.	Rs.
Civil	26,66,121	25,86,749	25,44,653
Criminal	1,74,345	1,76,261	1,82,467

(*ii*)

	Rs.	Rs.	Rs.
Civil	11,60,463	11,51,568	10,79,759
Criminal	1,68,026	1,60,245	1,59,781

(*iii*)

	1928-29.	1929-30.	1930-31
Civil	5,211	5,105	4,920

N.B.—The figures regarding Criminal Courts are not available.

Money decrees at Kishoreganj and sales of jute lands.

52. Maulvi ABDUL HAMID SHAH: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement containing the following information for each of the years 1925, 1928 and 1930:—

(*i*) in execution of money decrees, how many sales of jute lands have been effected by the munsif courts at Kishoreganj;

(*ii*) in how many of them the auction-purchasers were third parties;

(iii) what was the average price per acre in those sales; and

(iv) how many of those sales have been set aside on deposit by judgment debtors under order 21; rule 89?

(b) Have the courts been directed to see that when the decree-holder is the auction-purchaser, he must bid up to the decretal amount if the price of the property notified for sale be sufficient to liquidate the decretal amount?

(c) If the answer to (b) is in the affirmative, what procedure is adopted to enforce this direction?

The Hon'ble Mr. W. D. R. PRENTICE: (a) (i) (ii) (iii) and (iv) The information is not available.

(b) Government have no power to issue such directions.

(c) Does not arise.

Abduction cases in mufassal.

53. Babu GOKUL CHAND BURAL: (a) Is the Hon'ble Member in charge of the Police Department aware that abduction cases are increasing very rapidly in the mufassal?

(b) Is it a fact that in Tangail, Kushtia and Alipore there have been three serious cases reported of abduction of women with rape?

(c) Are the Government considering the desirability of appointing special officers and to prescribe deterrent punishments, e.g., whipping, for coping with this class of crime?

(d) Have the Government moved in this matter after the same was brought to their notice by a member in 1929?

The Hon'ble Mr. W. D. R. PRENTICE: (a) No. Separate figures for cases of abduction are not available but the combined figures for offences under sections 363-369 and 371-373 of the Indian Penal Code indicate that there has been a fall in this class of crime since 1929.

(b) Yes.

(c) No.

(d) A circular was issued to Deputy Inspectors-General of Police in March, 1930, requesting them to impress upon Superintendents of Police the necessity for attaching greater importance to this class of crime, and containing instructions regarding its investigation.

Country liquor shop at 88, Garden Reach Road.

54. Rai Bahadur Dr. HARIDHAN DUTT: (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries (Excise) Department be pleased to state the reasons for the delay in removing the country liquor shop at 88, Garden Reach Road, Kidderpore?

(*b*) Since his answer to my question No. 4 (starred) on the 9th February, 1931, has any step been taken for the removal of the shop by the excise authorities?

(*c*) Is it a fact that four months have passed since the date fixed by the Licensing Board for the removal of the shop?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) This was partly due to a somewhat ambiguous resolution of the Licensing Board which was misunderstood by the department, and partly due to the fact that it takes some time to comply with the statutory and executive formalities before a shop can be removed from one site to another, viz., (1) suggestion of a site by the vendor, (2) enquiries by the Excise and Police Departments as to its suitability, (3) disposal of local objections, if any.

(*b*) Yes. The Licensing Board, Calcutta, have ordered its removal to another site at 4, Nritya Ghosh Road, by September next.

(*c*) No.

Station platforms on Howrah-Burdwan Chord line.

55. Babu PROFULLA KUMAR GUHA: (*a*) Will the Hon'ble Member in charge of the Public Works (Railways) Department be pleased to state whether there is any scheme to raise the platforms of the stations of the Howrah-Burdwan Chord Line of the East Indian Railway?

(*b*) Is the Hon'ble Member aware that children and female passengers often meet with accidents in embarking and alighting from trains?

(*c*) If the answer to clause (*a*) is in the negative, are the Government considering the desirability of taking up such schemes at an early date?

The Hon'ble Mr. A. MARR: (*a*) The provision of high level platforms at stations on the Howrah-Burdwan Chord will be considered by the Railway authorities in order of their importance along with other stations on the Howrah Division where similar amenities are claimed.

(*b*) No.

(*c*) The question does not arise.

Clerical and executive staff of jails.

58. Mr. SYAMAPROSAD MOOKERJEE: (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether jail clerks are to attend office for the same period as the Deputy Jailors and Jailors?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether they are provided with free quarters everywhere?

(*c*) Is it a fact that jail clerks are entitled to free family quarters or house rent in lieu of such quarters?

(*d*) If the answer to clause (*c*) is in the affirmative, will the Hon'ble Member be pleased to state how many of the clerks are actually enjoying the privilege?

(*e*) If the answer to clause (*c*) is in the negative, will the Hon'ble Member be pleased to state whether the clerks are compelled to work nearly whole day and night if required?

(*f*) If the answer to (*e*) is in the affirmative, why they are being deprived of the privilege which other jail officers are enjoying?

(*g*) Is it a fact that there has been introduced a distinct demarcation between the executive and clerical staff?

(*h*) Is it a fact that the clerical staff in due course will be promoted to the executive?

(*i*) Have the jail clerks any recognised uniform to demarcate them from outsiders, upper division prisoners and "simple imprisonment" prisoners and under-trial prisoners?

(*j*) Is it a fact that in most of the jails the clerks are to perform the so-called executive duties also, such as, admission and release of prisoners and their search in all cases, to conduct interviews, giving and realising tasks to and from the prisoners, test identification parade, to attend the feeding parade and lock-up of prisoners, censoring of letters and books, charge of warder guards and to attend the alarm parades?

(*k*) If the answer to (*j*) is in the affirmative, what is the utility of the executive and clerical demarcation?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Yes.

(*b*) No. When Government quarters are available, the clerks are permitted to occupy them free of rent.

(*c*) No.

(*d*) Does not arise.

(*e*) No. Jail clerks, like other jail officials, keep jail working hours. Sometimes both they and the executive staff have to work overtime when the pressure of work is heavy.

(*f*) They are not entitled to the privilege and are informed to this effect at the time of recruitment.

(*g*) Yes.

(*h*) No. Such promotions can only be made in exceptional circumstances and with the previous sanction of Government.

(*i*) No.

(*j*) No. Jail clerks do not ordinarily perform these duties, though they perform the clerical work attached to some of them. In times of emergency a certain amount of executive work is sometimes done by the clerical staff, and in some jails there is still some overlapping of executive and clerical duties as it has not yet been possible completely to separate the two establishments.

(*k*) Does not arise.

Gates of level-crossing No. 1 across Tanbazar Road, Narayanganj.

57. Mr. ANANDA MOHAN PODDAR: (*a*) Is the Hon'ble Member in charge of the Public Works (Railways) Department aware that the level-crossing No. 1 across the Tanbazar Road within the Narayanganj Municipality has got to be closed for shunting and passing of trains for about 50 times during day and night?

(*b*) Is he also aware that this being the most useful road in the town, the incessant closing of it causes much inconvenience to the public?

(*c*) If the answer to clauses (*a*) and (*b*) are in the affirmative, are the Government considering the desirability of drawing the attention of the Eastern Bengal Railway authorities to the matter and proposing an overbridge or a diversion?

The Hon'ble Mr. A. MARR: (*a*) It is a fact that the gates of level-crossing No. 1 across the Tanbazar Road, Narayanganj, have to be often closed for shunting and the passage of trains.

(*b*) Yes. To minimise the inconvenience to the public the gates are being replaced with lifting bars to be worked from the signal cabin, in order that the opening and shutting may be quickly achieved.

(c) A diversion of the railway is impracticable, and an overbridge would be very expensive, and the cost of the approaches would have to be borne by the municipality in accordance with the principles laid down by the Railway Board. The road is largely used by bullock carts, and in many cases the time lost in waiting for the gates to be opened would not be saved owing to the necessity of ascending the slopes to attain the summit of the overbridge. For pedestrians there are wicket gates that are never closed.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether the gate is not closed for a longer time than is necessary?

The Hon'ble Mr. A. MARR: Not as far as I know.

Rai Bahadur KESHAB CHANDRA BANERJI: Is the Hon'ble Member aware that such closing of the gate causes inconvenience to wheeled traffic?

The Hon'ble Mr. A. MARR: I have already answered that question in my reply.

Process-servers in the Sealdah Munsif's Court.

58. Babu HARIBANSA ROY: (a) Is the Hon'ble Member in charge of the Judicial Department aware that the process-servers in the Sealdah Munsif's Court are never granted leave with any allowance whatsoever even notwithstanding the fact that no substitutes are taken in their places?

(b) If the answer to clause (a) is in the affirmative, will the Hon'ble Member be pleased to state whether this practice prevails in other courts?

(c) If the answer to clause (a) is in the negative, will the Hon'ble Member be pleased to state the reasons why this practice is allowed in this particular court?

The Hon'ble Mr. W. D. R. PRENTICE: (a) Leave allowances were not granted to process-servers of the Sealdah Munsif's Court during 1930, but such allowances are now being granted.

(b) No.

(c) The reasons are not known. Leave matters are dealt with by the head of the office concerned.

Abdus Samad of Gaffargaon, Mymensingh.

59. Dr. NARESH CHANDRA SEN GUPTA: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether Abdus Samad of Gaffargaon thana in Mymensingh was an accused in Hossainpur and Pakundia looting case in Mymensingh?

(*b*) Is it a fact that he absconded?

(*c*) Was the evidence for the prosecution in these cases personally examined and sifted by the Superintendent of Police, Mymensingh, before the cases were sent up?

(*d*) Is it a fact that there was evidence that Abdus Samad incited the mob lecturing in different places just before the Kishoreganj riots?

(*e*) Has the case against Abdus Samad been withdrawn? If so, under whose orders and for what reasons?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) Abdus Samad of Gaffargaon was an accused in a rioting case in Hossainpur police-station.

(*b*) Yes.

(*c*) Not personally by the Superintendent of Police.

(*d*) No.

(*e*) Yes. The complainant prayed for its withdrawal on the ground that Abdus Samad was not concerned in the case. It was withdrawn under the instructions of the Superintendent of Police.

Mushroom banks.

60. Dr. NARESH CHANDRA SEN GUPTA: (*a*) With reference to the answer to my starred question No. 112 asked at the meeting held on the 2nd March, 1931, will the Hon'ble Member in charge of the Commerce Department be pleased to state whether it is a fact that mushroom banks operating on the snowball system are still carrying on operations in the villages in Bengal, notably among cultivators?

(*b*) Will the Hon'ble Member be pleased to state—

(*i*) what further progress has been made since the answer then given by the Hon'ble Member in measures for suppressing the mischievous activities of these banks; and

(*ii*) what further steps the Government contemplate taking as a result of the further consideration of the matter?

(*c*) Are the Government contemplating any legislation for suppressing financial transactions of this character?

MEMBER in charge of COMMERCE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) There is evidence that these banks are still attempting to carry on operation, but that they are experiencing difficulties in finding fresh business.

(*b*) (*i*) Agents and organisers are prosecuted wherever possible.

(*b*) (*ii*) and (*c*) The general question of the suppression of these undertakings is still under consideration.

Election in certain municipalities of 24-Parganas district.

61. Maulvi MUHAMMAD SAADATULLAH: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is a fact that the Basirhat, Baduria and some of the other municipalities of the district of the 24-Parganas have failed to complete the general election of Commissioners and the formation of the new board within the time fixed by the statute and Government orders?

(*b*) If the answer to (*a*) is in the affirmative, do the Government propose to take any steps to prevent such prolongation of the old board in the municipalities of the district?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) This appears to be the case in three municipalities in the 24-Parganas, including the two mentioned, for the reasons explained in the statement appended.

(*b*) The question is one affecting all districts and not only the 24-Parganas. It certainly requires examination; and Government are considering what improvement in the municipal election rules is necessary in this respect.

Statement referred to in the answer to clause (a) of unstarred question No. 61.

BASIRHAT MUNICIPALITY.

The elections were due in March, 1931, but were postponed on account of the census operations until August. Progress is held up at the moment by a civil suit alleging irregularities in the preparation of the voter's register.

BADURIA MUNICIPALITY.

The elections were due in September, 1930, and the municipality was asked in May, 1930, to suggest a date. The Commissioners raised various questions, and ultimately in September, 1930, suggested the 10th January, 1931. This was again changed at the instance of the municipality, and the 9th May, 1931, was fixed. The elections have, however, been held up by an order of the Civil Court.

The elections for the Kanchrapara Municipality had lately to be postponed owing to non-observance of the provisions of rule 2 (*4*) of the Bengal Municipal Election Rules.

Sanitary Inspectors.

62. Babu HOSENI ROUT: (*a*) With reference to answer to clause (*d*) of unstarred question No. 106 asked by Maulvi Muhammad Fazlullah at the meeting held on the 27th March, 1931, will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state what further action has been taken in the matter?

(*b*) Will the Hon'ble Minister be pleased to state how many members of the depressed classes have passed the Sanitary Inspectorship Examination during the last 5 years and how many of them have been appointed as sanitary inspectors in the rural public health organization?

(*c*) Will the Hon'ble Minister be pleased to lay on the table a statement showing the qualification of the Hindu and Moslem candidates admitted in the Sanitary Inspectors' training class during the last two years?

(*d*) With reference to his speech printed in the 20th to the 22nd lines, page 662 of the Council Proceedings, Vol. XXXVI-No. 3, 1931, will the Hon'ble Minister be pleased to state how many 3rd division passed Moslem and Hindu Matriculates were admitted in the Sanitary Inspectors' training class during the last two years?

(*e*) With reference to his speech printed in the 27th to the 29th lines, *ibid*, will the Hon'ble Minister be pleased to furnish the following information:—

(*1*) Number of Hindu candidates who received Sanitary Inspectors' training in 1930.

(*2*) Number of Moslem candidates who received Sanitary Inspectors' training in 1930.

(3) Number of Hindus appointed in the rural public health organisation in permanent vacancies in 1930.

(4) Number of Moslems appointed in the rural public health organisation in permanent vacancies in 1930?

(*f*) Will the Hon'ble Minister be pleased to state what policy was followed in making Moslem appointments referred to in question (*c*) above?

(*g*) With reference to the supplementary questions asked by Khan Bahadur Azizul Haque to question No. 106 of the last session of the Bengal Legislative Council, will the Hon'ble Minister be pleased to state who was responsible, the Director of Public Health or the district board, for making appointments as sanitary inspectors in the Bengal rural public health organisation?

(*h*) Has the policy in making these appointments been recently changed?

(*i*) If so, why and to what advantage to the district board has the policy been changed?

(*j*) How many sanitary inspectors have been appointed in the rural public health organisation?

(*k*) Are there any appointments left now to be made by the district boards under the changed policy?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) The local Government are engaged in considering the question of placing the selection committee on a broader and more representative basis.

(*b*) The Director of Public Health is unable to furnish this information from his records.

(*c*) A statement is appended.

(*d*) Hindus 4; Muslims 5.

(*e*) A statement is appended.

(*f*) The member is referred to the reply to clause (*b*) of unstarred question No. 106 of the 27th March, 1931.

(*g*) Except in a few cases, the appointments under the rural public health organisation were made by district boards on the nomination of the Director of Public Health.

(*h*) The Director of Public Health no longer nominates candidates for appointment under the rural public health organisation.

(*i*) As the rural public health organisation is complete and a growing number of qualified sanitary inspectors are available for employment, nominations are no longer made by the Director of Public Health.

(*j*) 558 out of a total of 575 thana health circles—the remainder are occupied by qualified assistant health officers.

(*k*) Government have at present no information of any vacancies.

Statement referred to in the answer to clause (c) of unstarred question No. 62, showing qualifications of Hindu and Moslem candidates admitted into the Sanitary Inspectors' training class during the years 1929 and 1930.

—	Matriculation.			Intermediate Science.			Intermediate Arts.			Total.
	I.	II.	III.	I.	II.	III.	I.	II.	III.	
25th Session—January, 1929—										
Hindus	25	18	1	1	1	3	..	..	1	60
Muhammadans ..	3	7	4	..	..	..	..	..	1	
26th Session—July, 1929—										
Hindus	24	11	3	5	4	1	..	..	..	60
Muhammadans ..	5	7	..	..	..	..	..	..	..	
27th Session—January, 1930—										
Hindus	25	10	..	..	1	1	..	1	..	50
Muhammadans ..	1	8	1	..	..	..	..	..	..	
Others	..	2	..	..	..	..	..	..	..	
28th Session—July, 1930—										
Hindus	30	12	..	2	3	1	..	..	..	58
Muhammadans ..	4	6	..	..	..	..	..	..	..	

Statement referred to in the answer to clause (e) of unstarred question No. 62, showing the number of Sanitary Inspectors who received employment in the rural public health organisation in the year 1930.

Number of Hindu candidates who passed Sanitary Inspectors' Examination in June and December, 1930—78.

Number of Moslem candidates who passed Sanitary Inspectors' Examination in June and December, 1930—20.

Number of Hindus appointed in the rural public health organisation in permament posts in 1930—59*.

Number of Moslems appointed in the rural public health organisation in permanent posts in 1930—8*.

*The majority of these passed the Sanitary Inspectors' Examination in December, 1929, and the remainder in June, 1930.

Alaipur and Bemorta khals, and Kobadak river in Khulna.

63. Babu SUK LAL NAG: (*a*) Will the Hon'ble Member in charge of the Irrigation Department be pleased to lay on the table the papers in connection with the re-excavation of the Alaipur and Bemorta khals and of the Kobadak river in the district of Khulna?

(*b*) Are the Government considering the desirability of issuing instructions not to delay the schemes at any of the stages?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: (*a*) Government do not consider that any useful purpose will be served by laying all the papers regarding these schemes on the table but information on specific points will be supplied.

(*b*) The scheme for improvement of the Alaipur khal has been administratively approved. An estimate for silt clearance of the Bemorta khal has been prepared, and the question of executing this work in 1932-33 is under consideration. As regards the Kobadak scheme, the Collector has been asked to ascertain if the people are willing to pay the cost of preparation of the scheme under the Bengal Agricultural and Sanitary Improvement Act (Bengal Act VI of 1920). Government cannot undertake to finance any of these projects at present.

Waiting room for female passengers and platforms at the Chashara station.

64. Mr. ANANDA MOHAN PODDAR: (*a*) Will the Hon'ble Member in charge of the Public Works (Railways) Department be pleased to state whether it is a fact that there is no waiting room for female passengers at the Chashara station on the Eastern Bengal Railway though the number of female passengers there is considerable?

(*b*) Is it a fact that there is no raised platform at the said Chashara station and that the passengers, specially the females, are put to great hardship in alighting from and getting up the trains?

(*c*) If the answer to clauses (*a*) and (*b*) are in the affirmative, are the Government considering the desirability of drawing the attention of the Eastern Bengal Railway authorities for redressing the said grievances of the public?

The Hon'ble Mr. A. MARR: (*a*) Yes, but Chashara is only a small wayside station.

(*b*) Yes. The platform is at rail level, which is usual at all wayside stations on the metre gauge section of the Eastern Bengal Railway.

(*c*) In view of the fact that the station is about a mile away from Narayanganj station, which has a female waiting room and raised platforms, Government do not consider it necessary to move the Railway authorities in the matter.

Rent suits in Mymensingh Munsifs' Courts.

65. Maulvi ABDUL HAMID SHAH: Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing in the year 1930 and from January to June, 1931, in each of the Munsifs' Courts in the district of Mymensingh—

(*i*) how many rent suits have been instituted;

(*ii*) in how many of these suits, the prayers for enhancement were added;

(*iii*) how many of these cases have been decreed *ex parte;* and

(*iv*) what is maximum enhancement allowed in each?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*), (*ii*) and (*iii*) A statement for 1930 is laid on the table.

(*iv*) Government are not in possession of this information.

Statement referred to in the answer to clause (a) of unstarred question No. 65 of rent suits for 1930.

	Instituted.	Decreed, *ex parte,*
1st Munsif, Sadar, Mymensingh	7	87
2nd Munsif, Sadar, Mymensingh	4,861	4,161
3rd Munsif, Sadar, Mymensingh	4	248
Additional Court	..	9
Munsif, Iswarganj	1,613	1,421
Additional Court	..	45
Munsif, Netrakona, 1st Court	4,653	3,935
Munsif, Netrakona, 2nd Court	nil.	106
Munsif, Netrakona, 3rd Court	nil.	92
Munsif, Netrakona, 4th Court	3	69
Additional Court	..	64
Munsif, Kishoreganj, 1st Court	0	38
Munsif, Kishoreganj, 2nd Court	0	61

	Instituted.	Decreed, *ex parte.*
Munsif, Kishoreganj, 3rd Court	2,413	2,002
Additional Court	..	1
Munsif, Bajitpur, 1st Court	1,158	1,045
Munsif, Bajitpur, 2nd Court	350	317
Additional Court	..	1
Munsif, Jamalpur, 1st Court	1,263	1,325
Munsif, Jamalpur, 2nd Court	1,932	1,666
Munsif, Sherpur	1,207	1,100
Munsif, Tangail, 1st Court	3,148	2,589
Munsif, Tangail, 2nd Court	5	26
Munsif, Tangail, 3rd Court	nil.	67

The total number of suits with prayers for enhancement or abatement of rent was 1,681 in the whole district.

Maulvi ABDUL HAMID SHAH: With reference to the statement furnished, will the Hon'ble Member be pleased to state whether it includes rent suits for the period January-June, 1931?

The Hon'ble Mr. W. D. R. PRENTICE: We have got only the figures for 1930.

Maulvi ABDUL HAKIM: Will the Hon'ble Member be pleased to state the total number of abatement cases?

The Hon'ble Mr. W. D. R. PRENTICE: I have not got the total of the number of abatement cases, but if the member looks at the statement he will find that the total number of suits for enhancement or abatement was 1,681.

Probationers for the ministerial services in mufassal courts.

66. Babu SATISH CHANDRA RAY CHOWDHURY: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state when the recruitment of unpaid probationers for the leave vacancies and appointments in the ministerial services of the mufassal civil and criminal courts was first discontinued by the Government and the High Court?

(*b*) Is it a fact that the period of probation of officers is not counted for pension on retirement?

(*c*) Is it a fact that the period of probation of a paid probationer drawing Rs. 10 in East Bengal when East Bengal with Assam was a separate province, and drawing Rs. 15 after the amalgamation of East with West Bengal, is not also counted for the purpose of pension on retirement?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) 1910.

(*b*) Yes, unless a probationer holds a substantive office and draws substantive pay.

(*c*) Yes.

Dacoities in Khulna.

67. Babu SUK LAL NAG: Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a statement showing—

(*i*) the number of dacoities committed within the jurisdiction of each thana in the district of Khulna during the last three years from date;

(*ii*) how many of them were reported to the police;

(*iii*) how many of them ended in conviction of the accused;

(*iv*) what steps do the Government propose to take to prevent a recurrence of these crimes;

(*v*) how many murder cases were reported to the police in the district of Khulna during the said period; and

(*vi*) how many of them were detected and the convicts punished in the law courts?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*), (*ii*) and (*iii*) The information is contained in the statement laid on the table.

(*iv*) Known bad characters are being kept under close surveillance, dacoity patrols are being introduced in the affected areas, and proceedings are being instituted under section 110 of the Criminal Procedure Code, when sufficient evidence is forthcoming.

(*v*) 134.

(vi) Twenty-one cases were detected and ended in the conviction of 43 persons in the courts.

Statement referred to in the reply to clauses (i), (ii) and (iii) of unstarred question No. 67.

KHULNA.

—	The number of dacoities committed within the jurisdiction of each thana in the district of Khulna during the last 3 years from date—				How many of them were reported to the police.				How many of them ended in conviction of the accused.			
	1928 (from 1st July, 1928).	1929.	1930.	1931 (up to 30th June, 1931.)	1928 (from 1st July, 1928).	1929.	1930.	1931 (up to 30th June, 1931).	1928 (from 1st July, 1928).	1929.	1930.	1931 (up to 30th June, 1931).
Details thana by thana ..	3	13	31	42	3	13	31	42	2	2	..	..
Khulna ..	..	1	2	..	..	..	..	..	..	..	..	..
Daulatpur ..	..	2	1	..	..	..	..	..	..	..	..	..
Batiaghata ..	..	2	5	1	..	..	..	..	..	..	..	..
Paikgacha ..	1	..	1	1	..	..	..	..	..	..	..	
Fultala .	..	..	..	..		..	..	..	..	..	..	..
Dumuria ..	..	..	2	1	..	..	..	..	..	..	..	..
Tarakhada ..	..	..	..	1	..	..	..	..	..	..	..	..
Dacope ..	..	..	..	1	..	..	..	..	..	..	..	..
Bagerhat ..	..	3	3	4	..	..	..	..	..	..	..	..
Morelganj ..	2	3	5	10	..	..	..	..	..	..	..	..
Rampal ..	..	1	6	3	..	..	..	..	..	..	..	..
Sarankhola ..	..	1	..	4	..	..	..	..	..	..	..	..
Kachua ..	..	..	2	6	..	..	..	..	..	..	..	..
Fakirhat ..	..	..	2	3	..	..	..	..	..	..	..	..
Mollahat ..	..	..	1	..	..	..	..	..	..	..	..	..
Sathkhira ..	..	..	1	..	..	..	..	..	..	..	..	..
Kalaroa ..	..	..	..	1	..	..	..	..	..	..	..	..
Kaliganj ..	..	..	..	1	..	..	..	..	..	..	..	..
Assasuni ..	..	..	..	1	..	..	..	..	..	..	..	..
Debhata ..	..	..	..	2	..	..	..	..	..	..	..	..
Syamnagar ..	..	..	..	2	..	..	..	..	..	..	..	..
Total ..	3	13	31	42	..	..	..	..	..	..	..	..

Points of order regarding questions disallowed and unanswered.

Maulvi SYED JALALUDDIN HASHEMY: Mr. President, may I inquire when any question is disallowed whether it is constitutional in disallowing such questions not to refer to any standing order, rules, or regulations or to assign any cause whatsoever?

Mr. PRESIDENT: If you write to or see the Secretary, you will be able to know the reasons.

Maulvi SYED JALALUDDIN HASHEMY: In some cases he gives reasons, while in some cases he does not.

Mr. PRESIDENT: But you can always write to him or personally ask him to give you the reasons.

Maulvi SYED JALALUDDIN HASHEMY: In one particular case, viz., the question regarding the loan to the Nawab of Dacca, no reason was assigned for disallowing the question. May I know the reason why this particular question was disallowed?

Mr. PRESIDENT: I distinctly remember that I gave my reasons for disallowing that question. If you will inquire of the Secretary, I am sure he will let you know the reasons.

Maulvi SYED JALALUDDIN HASHEMY: Am I entitled to ask the Secretary to tell me the reason now and so enlighten the House?

Mr. PRESIDENT: No, not at the present moment, because the Secretary is not supposed to answer any question on the floor of this House. You may write to or see him.

Rai Bahadur KESHAB CHANDRA BANERJI: On a point of information, Sir. Is there anything in the rules and the standing orders which entitles the department concerned not to answer any question, although it may have been admitted by the Hon'ble the President?

Mr. PRESIDENT: I do not quite follow you.

Rai Bahadur KESHAB CHANDRA BANERJI: Notices of several questions were given in the last February session, but they were not answered. My point is whether, after the Hon'ble the President has admitted any question, the department is entitled to suppress it.

Mr. PRESIDENT: It is not a question of suppression. Questions are answered when the departments concerned have been able to gather informations on the basis of which they can give reasonable answers.

Babu SATISH CHANDRA RAY CHOWDHURY: If any question is not answered, what is our remedy?

Mr. PRESIDENT: The remedy is to carry the question over to the next session.

Rai Bahadur KESHAB CHANDRA BANERJI: Notice of some questions were given, but they were not answered.

Mr. PRESIDENT: There are a certain number of questions before the various departments concerned, and it is expected by me that they will all be answered. If any question is not answered, the only remedy is to carry it over to the next session.

Babu SATISH CHANDRA RAY CHOWDHURY: Is there no rule by which the Hon'ble the President can give us any relief in this respect?

Mr. PRESIDENT: I do not think there is any rule. Can you point out to me any rule by which I can take action?

3-45 p.m.

RESOLUTIONS

(on matters of general public interest).

Agricultural loan for relief of distress in Dinajpur and Rangpur.

Kazi EMDADUL HOQUE: I beg to move that this Council recommends to the Government that an agricultural loan of one lakh of rupees be granted in addition to what has already been provided for, to counteract the impending famine in many districts of Bengal, especially the northern districts of Rangpur and Dinajpur.

The object of my resolution is sufficiently clear and I do not think that I need have recourse to any subtle argument to bring home to the members of the House the necessity for such an agricultural loan of one lakh. It is a matter of common knowledge and experience that the trade depression, or economic crisis as it is called, which has spread over the whole world, has affected all classes of people and the agriculturists most of all. I do not know whether Government share the same view that famine has actually broken out in many districts of Bengal.

The Hon'ble Sir PROVASH CHUNDER MITTER: With your leave, Sir, I may make a statement which will save the time of the House. The hon'ble member, in his resolution, asks for the grant of an agricultural loan of one lakh and I may assure the House that Government propose to make a further grant of Rs. 6 lakhs at least for such a loan.

Kazi EMDADUL HOQUE: I want one lakh more. What I mean, Sir, is that in addition to what Government has already provided for this purpose one lakh more be further provided.

The Hon'ble Sir PROVASH CHUNDER MITTER: We have already provided a certain sum. Over and above what we have already provided we propose to provide Rs. 6 lakhs more. Do I understand the mover to say that he wants one lakh more to be set apart?

Kazi EMDADUL HOQUE: Yes, Sir, that is so. But in view of the assurance given by the Hon'ble Member I beg to withdraw my resolution with the leave of the House.

The motion of Kazi Emdadul Hoque was then, by leave of the Council, withdrawn.

Babu SATISH CHANDRA RAY CHOWDHURY: What about the other resolutions. The general question can perhaps be discussed now.

Mr. PRESIDENT: Resolution No. 19 is still alive.

Babu SATISH CHANDRA RAY CHOWDHURY: I would submit that No. 19 is different as it wants a committee of non-official and official members of the Council and experts to be appointed to make a systematic examination————

Mr. PRESIDENT: But you must not forget that Kazi Emdadul Hoque wanted to withdraw his resolution and the Council gave him leave to withdraw it. So, that resolution is no longer before the House.

Babu SATISH CHANDRA RAY CHOWDHURY: But, Mr. President, I wanted to object to the withdrawal.

Mr. PRESIDENT: You should have done so at the proper time.

The following amendments failed:—

Dr. NARESH CHANDRA SEN GUPTA to move, by way of amendment, that in the motion of Kazi Emdadul Hoque—

(*i*) in line 2, for the words "of one lakh of rupees" the words "to such extent as may be necessary to give full relief to all cultivators" be substituted; and

(*ii*) that the following be added at the end, viz., "and that the conditions of the grant of agricultural loans be so relaxed, consistently with reasonable security for their realisation, that the relief offered by them may be readily available to every needy cultivator."

Mr. P. BANERJI to move, by way of amendment, that in the motion of Kazi Emdadul Hoque, line 2, for the words "one lakh" the words "five lakhs" be substituted.

Process-servers.

Maulvi SYED MAJID BAKSH: I beg to move that this Council recommends to the Government that immediate effect be given to the resolution passed by this Council on the 19th August, 1930, regarding the formation of an inquiry committee to investigate into the grievances of the process-servers in Bengal.

This might sound to be a very humble resolution in view of the fact that these process-servers are little cared for. It does not like to imitate the high strain that sings heroes and their exploits but seeks to ameliorate the condition of men who are in a humble position and who by the nature of their service are exposed to all sorts of oppression and ill-treatment, from their superiors.

In the first place, Sir, I move it as a matter of principle. I submit, Sir, that when a resolution is moved in this Council and passed by a majority of votes Government ought to pay attention to it. Government have no business to disregard it as if nothing has happened, and as if a vote of this Council can be flouted at their sweet will. In this matter of principle I hope my friends here will agree with me and follow me into the lobby if not for anything else, at least to vindicate the right of this Council to be heard and not disregarded by Government.

Coming now to the facts, the difficulties of the process-servers have been repeated in this Council times without number by various persons. The grievances of these process-servers have been brought to the notice of this Council many times. Of course, I do not know whether there is any exaggeration in these grievances but it has often been said that not only have they to serve Government but they have other masters to serve as well. Although by the condition of their service they are whole time servants of Government their services are requisitioned from the highest officer of the district to the lowest officer to whom they are subordinate. Menial works are asked to be done by them—works which no self-respecting person would like to do. They have to do all sorts of things for their superior officers; they are hewers of wood and drawers of water and they are subject to all sorts of unpaid service, which should be taken severe notice of by the authorities concerned. We have been told that process-servers are asked by their superior officers to purchase 4 eggs for one pice and a goat for 4 annas! a small goat, because these people revel and delight in the flesh of a small goat. They are also asked to purchase milk almost for nothing—2 pice a seer! Moreover there are allegations printed in newspapers in which they have been asked to do a certain type of service which is revolting and unheard of! One such process-server has since been dismissed because he refused to clear night-soil! His services, although he said he belonged to a very respectable family, were requisitioned by somebody —sheristadar or nazir, and these poor fellows are asked to do all sorts

of horrible things. They are asked to cut jungles in the compounds of the residences of their superior officers, and although Government has issued a circular not to employ these process-servers on any other work, there is almost a conspiracy in every district to disregard this circular. I do not know whether it has ever been brought to the notice of Government that this circular is obeyed more in the breach than in the observance. It is for this reason and for this reason alone that I pray for a committee to investigate and for this Council to give assent to it, but I do not know the reason why Government has safely disregarded the resolution we had already passed, and thrown it into the waste-paper basket. I see the Judicial Secretary is smiling at my speech. I do not know whether he has taken any serious notice of these things and is chuckling in his sleeves to come down right upon those persons who are perpetrating these evils. If that is so I rejoice at the smile. There have been allegations in the newspapers too innumerable to mention. I have got a big file with me on the subject and if the Judicial Secretary will kindly look at it I can hand over to him the whole thing. These allegations are printed in newspapers and few will imagine that all such allegations can be treated lightly and trifled with. Some of these allegations have some truth in them at least, for otherwise no one would go to the length of declaring before all people that they are asked to do such and such things. Therefore I think that Government should at least investigate into these matters for the sake of justice. It will not cost much. I do not ask Government to appoint a very big committee to tour over every district, so that it may not encumber Government with expenditure in these hard days, but all I want is to see that the Government circular on this matter is not disregarded and thrown into the waste-paper basket. It is in the interest of Government's own integrity and in the interest not only of the integrity of the process-servers but also in the interests of the public good that I request the Judicial Secretary to take notice of the resolutions we had passed.

If it be that Government do not give effect to a resolution which this Council, convinced of the just grievances of these process-servers, passed some time ago then I should think that the Government is still as wooden, iron, antediluvian as Mr. Montagu found it, that it has not improved at all by experience, that this Government under the Indian Reforms Act is not functioning at all, and that the Indian Reforms Act is a misnomer and an imposition. It is not Indian because it is made in England, it is not reforms because it is confusion worse confounded, it is not an Act inasmuch as it is an omission to recognise the legitimate rights of the people.

Mr. PRESIDENT: I think I should at this stage, point out that resolutions standing in the names of Maulvi Hassan Ali and Babu Amulyadhan Ray are identical to the one now before the House, the fate of which will govern that of the other two. But those need not be

moved and members against whose names those motions stand can speak in support of the one under discussion.

Mr. K. C. RAY CHAUDHURI: I am glad that I have an opportunity of discussing labour problems which this House is quite competent to discuss. I am very sorry I was not here when this motion was discussed last year. I am much interested in this matter because I happened to be the President of the Process-Servers' Association year before last. Reading the proceedings of last year I am not at all satisfied with the reply given by the Hon'ble Mr. Prentice; that is to say, he refused to appoint a committee of inquiry on the ground that there was no prospect of giving higher pay under the present financial conditions. I agree with him so far but only so far, but would ask him what about other conditions? Can you imagine in days like these of mass movements and labour organisations, that process-servers who are responsible as limbs of an important judicial service should be treated like cats and dogs by sheristadars and other ministerial officers of the court and even by judicial officers—it is a disgrace. It is open to the Council and members of Government to do much to remedy this evil but I also think that the Hon'ble Mr. Prentice should have taken up this matter and set up an inquiry committee to discuss and investigate that portion of the grievances at least, namely, that they were treated in a manner almost amounting to inhumanity.

4 p.m.

I have some personal knowledge of the process-servers' grievances and I do not want to repeat them *ad nauseam* in this House. I hope, Sir, that the Judicial Secretary, who has come fresh from home after seeing the latest developments of labour affairs, national and international, will look into the question of victimisation seriously. In this connection I may refer to the case of Sures Chandra Dutt, who was dismissed because he happened to be a militant organiser. It is true that certain reasons were given that he did not obey orders, but it is equally true that he was transferred to a penal place like Arambag, and everybody knows what Arambag is—simply because he was militant. I take strong exception to this and I would ask the Judicial Secretary to say whether it was a case of victimisation or not. It is not unknown to the general public that wherever a labour organiser is dismissed because he is militant, he creates the utmost mischief and that mischief costs the public terribly. I can give you one instance, and that is the case of Babu K. C. Mitra, who was dismissed because he was a militant labour organiser in Dinapore district of the East Indian Railway, and he played the greatest mischief as the Secretary of Lillooah Workmen's Union, and the result was that the East Indian Railway lost lakhs and lakhs of rupees. If this Mitra was rightly and properly treated while he was an employee of the Railway

Company, and if the Company thought that it was a *bona fide* business to come forward and place the real grievances of the railway employees before them the result would have been quite different. I will give another instance—the case of late Babu Tarapada Mukherji of the Postal Union. He was dismissed from service and it cost the Postal Department Rs. 50 lakhs in providing good pay for the peons and postal clerks, the members of the Union, for which I am very glad indeed. Therefore I would request the Government departments that in dealing with labour questions they must deal fairly and squarely with the organiser or secretary of labour unions whether he be in the employ of Government or not. I think, Sir, a very strong case has been made out by the speech of the mover for appointing a committee of inquiry into the grievances of process-servers, but not in connection with their pay, because I know that nothing can be done in the present financial condition but about bad treatment meted to them. For the last six or eight months the papers have been full of serious allegations about bribery and *zulum* made by the secretary of this particular organisation against a ministerial officer in the district of Hooghly. Sir, it is most unfortunate that the Judge of the district has tried to whitewash the matter, if I may say so. May I tell the House what was done by the Agent of the Eastern Bengal Railway, Mr. Pearce? Allegations of bad treatment and corruption were made against an Indian assistant of Kanchrapara Workshop by the workmen. Well, there was a whitewashing inquiry, but Mr. Pearce, the Agent, instructed that man to bring a charge of defamation against those workmen who made the allegations and eventually the assistant was forced to resign. If Government will inquire of the Eastern Bengal Railway office they will know that the employees who made the allegations told publicly that the man was corrupt and so on. If Government will ask the sheristadar against whom these allegations were made to sue the secretary or the newspaper editors for criminal libel, I shall be very satisfied indeed, and that will show the *bona fide* of Government.

Maulvi MUHAMMAD SAADATULLAH: Sir, we cannot be a party to the resolution which asks for the formation of a committee, as I do not think that such a committee would be of any use to the party concerned. Sir, I know that certain circulars have been issued as the result of the discussion in this House, but I do not think that an elaborate inquiry committee would be necessary for the purpose of removing the grievances. Sir, I object to the appointment of a committee of inquiry both on the ground of finance and also on the ground of impracticability. In the first place if an inquiry committee is to be formed that committee will have to travel throughout Bengal, from subdivision to subdivision, though it is not certain whether any inquiry committee will be able to prove any acts of guilt or negligence on the part of Government servants. Moreover, evidence would be wanting if the committee went to sadar stations or chowkis in order

to ascertain whether any particular officer was guilty or negligent in carrying out the circular order, or whether any process-server was compelled to render private service to any officer, as the process-servers would be apprehensive of bringing this matter to the notice of the committee. I know that in extreme cases complaints have come out to the press and attracted the notice of the members of this House. In any case, I am afraid that process-servers themselves would be timid to bring complaints against either the munsif or nazir or the sheristadar. So the purpose of an inquiry committee will be frustrated by the process-servers themselves. I do not think, therefore, that an inquiry committee will be of any avail to give relief to the complaints which my learned friend has brought forward———

Maulvi HASSAN ALI: On a point of order, Sir. Can a member object to the appointment of an inquiry committee?

Mr. PRESIDENT: I think Mr. Saadatullah is all right.

Maulvi MUHAMMAD SAADATULLAH: In the second place, on the question of finance I do not know how the committee will be helpful without going into every subdivision and chowki in order to investigate the conduct of officers where services are extorted from process-servers. The committee, therefore, will not be able to serve any useful purpose. So I submit, both on the ground of finance and also on the ground of impracticability, the committee suggested by the mover of the resolution will not be of any help. Then I would remind the mover that it is not a general complaint that all the officers or the majority of officers do extract service from the process-servers. In fact, if these services are rendered, they are sometimes rendered voluntarily. It is, therefore, useless to ask for the acceptance of this resolution. In view of what I have said, I hope the mover will not press for the acceptance of his resolution.

Mr. J. CAMPBELL FORRESTER: Sir, if an inquiry committee is to be appointed to go into the alleged grievances of the process-servers, then I think it should also ascertain whether the process-servers themselves are really doing their duty honestly. My experience, the same as I believe everybody else's, is that the party who has to issue a summons through the court, finds great difficulty in getting it served. The process-server comes back with the statement that the party cannot be found. He daily goes on with excuses, and eventually when a few rupees are passed into his hands, the summons is served. The courts should be held responsible for these deplorable state of affairs, inquiry should be made, and a remedy found for extracting money from the party who has to serve these summons. Surely *baksis* should not be necessary to get a Government servant to do his duty.

Mr. P. N. GUHA: Mr. President, Sir, as the President of the Process-Servers' Association for the year I think it is my duty to speak a few words on the resolution before the House. The grievances of the process-servers are many and I examined some of them with care during the past few months and I must say that they are just and legitimate. It was to submit these grievances that the process-servers have for long been urging the Hon'ble Member in charge of the Judicial Department to receive a deputation.

Sir, the Midnapur Conference over which I presided in December last passed a resolution and authorised me to approach the Hon'ble Member. I did so and the Hon'ble Mr. Prentice very kindly agreed to receive the deputation. The representatives of the process-servers came to Calcutta during the last session of the Council and I introduced them to the Hon'ble Member. We discussed the different points raised by the deputation and it appeared to me that the particular thing over which the process-servers were very sore was their relationship with their superior officers as has been pointed out by my friend Maulvi Majid Baksh. The process-servers say that almost every officer from a sub-judge down to a naib nazir treats them as menial servants and some of them take such mean advantage of the helpless position of these poor men that every gentleman should be ashamed of it. The matter was discussed threadbare with the Hon'ble Mr. Prentice and he very kindly agreed to issue a general circular on this particular question. I understand that the circular has already been issued, but the process-servers say that the situation has not changed in any way and they are treated as before. Sir, I am told that there are munsifs who do not employ servants in their household and have all the duties of domestic servants done by the process-servers. Then there are nazirs and naib nazirs who often ask these men to purchase things from the market for themselves, but very conveniently forget to make any payment. The Council will probably be ashamed to hear that a Bengali District Judge—I will not name him—actually kicked a process-server for not pulling the punkha of his bedroom with sufficient vigour. These are the sorts of treatment they are subjected to.

4-15 p.m.

Sir, my friend Mr. K. C. Ray Chaudhuri has referred to the case of Suresh Chandra Dutta. I am in possession of original letters written by an amlah of the Civil Court of Howrah ordering Suresh Dutta to bring some flesh from Kalighat, some *rasagullas* from Baghbazar and other articles of food from other quarters of Calcutta and not even tram hire was given for doing all these. Further, this man was ordered to look after the privy of the village residence of the said amlah. Suresh refused to do this and the consequence was his dismissal. Sir, I am under the impression that these process-servers

would never have been so noisy if their superior officers had not treated them like so many menials. It is true that in old days the process-servers used to be recruited from amongst the people who used generally to serve as menial servants, but those days are gone by. Sir, I had not been in touch with them for long but I was amazed last year when I found there were a good many matriculates and even I.As. amongst them and the majority of them were Brahmins, Kayasthas and high class Mussalmans. Economic distress in the country has compelled our young men to accept the posts of process-servers and it is indeed a matter of shame that they are treated so unkindly.

Sir, another matter about which the process-servers grumble is their pension. Their pay is very, very small and they are hardly expected to save anything during the period they are in service. Yet they do not get any gratuity or pension worth the name after serving 30 or 40 years. That is an anomaly, Sir, which does not exist in any other service under the Government. These men are fully aware of the fact that in time their number will be decreased considerably, for as suggested and rightly so, most of the business now done by them will be done with the help of the post office, but in the meantime something ought to be done with regard to their pension. Next comes the question of leave. They get no leave. If one asks only for a couple of days' leave in six months' time, he has to give a *badli*, exactly as in the case of menial servants in private houses. They are aware that their pay cannot be increased now on account of the financial difficulties of the Government, but they can be paid a pension proportionate to their pay and they can easily be brought under the leave rules.

Then, Sir, as to the appointment of a committee, I have carefully thought over the matter and I am convinced that no useful purpose will be served by the appointment of one. Their grievances are well known to the authorities. Their pay and prospects are large, they do not get good pension and they are not allowed leave as other Government servants are, and lastly they are treated badly by their superior officers. I think these matters can be put right by an energetic and sympathetic Judicial Secretary—I do not mean that the present Secretary is not so, he is and he can remove their grievances to a large extent if he will. Sir, the process-servers are a class of good and trustworthy servants of the Government and they should be treated kindly.

Maulvi ABUL KASEM: As a matter of principle I will have to support this motion because the resolution was passed by this House on a former occasion asking for the appointment of an inquiry committee, but with due deference to the President of the Process-Servers' Association and their friends, I beg to submit to this House that as enumerated by him, their grievances are very few and they can be looked into by the Judicial Secretary, and things will be satisfactorily arranged. I

think in these hard times it will not be very judicious to appoint a committee to inquire into these matters. As far as I know, not only Government servants, but every section, every community has its grievances, and I am afraid my friends the process-servers are not so badly off as others. If they have grievances, I would make them an offer to exchange their lot with say that of the peons or orderlies of the officials. It is true their pay is very small, but the attraction of their service is very great, and anybody who has had anything to do with the law courts knows that process-server peons are not a very unhappy lot of people.

Maulvi SYED MAJID BAKSH: They can purchase four eggs for one pice.

Maulvi ABUL KASEM: I heard that a District Judge kicked a peon. If that be so it was the business of the process-server who can hold a conference and ask distinguished persons to preside over the conference, to represent the matter of this assault to the proper authorities. In fact that would be the proper course; but it was not done.

Mr. P. N. GUHA: I did so.

Maulvi ABUL KASEM: Whatever I have heard, I know very little of the matter, I have heard of it from the speech of my friend, it is something done without the permission of the Government, the knowledge of the Government, against the rules of the Government, by Government officials in better positions than these peons. For these grievances the proper remedy is to go to the proper authorities for the punishment of these officers who do things unfair or unjust. The best course will be for these men to appeal in specific cases against the conduct of these higher officers, to higher authorities.

Mr. J. W. NELSON: Sir, from what I have heard during the last half hour, I do not think that a really strong case has been made out. A few months ago, the Hon'ble Mr. Prentice received a deputation from the Process-Servers' Association, and inquiries were made into their complaints. In some cases orders have been passed. A circular has been issued forbidding the employment of process-servers in private household work. Other matters are under consideration.

As regards the emoluments of these process-servers nothing can be done in present conditions. Then as regards their pension, it is not true to say that they get no pension. Under the existing rules they are entitled after 30 years' service to a pension of Rs. 4 a month. This is not a very large pension, I admit, but it is better than nothing. The rules for the grant of pensions to officers in inferior service including process-servers have been revised, but the introduction of the revised rules is delayed by the financial stringency.

As regards leave, I have at present on my table at the Secretariat, several files relating to the question of the leave of process-servers. The practice in the districts is not uniform but I hope that in a short time, the matter will be put in a more satisfactory basis.

As regards the employment of process-servers on private work, I have already said that Government have issued a circular forbidding it. In my opinion, the trouble arises from the fact that they have not enough public work to do. Their process-serving work keeps them employed only 12 or 14 days a month in many districts. If it kept them busy for 20 days or more in the month, there would be little time for them to do private work for superior officers. If a process-server is asked to perform forbidden work, he should complain to the District Judge or to Government. If on inquiry the complaint is proved true, the offending officer will be punished.

4-30 p.m.

Mr. SARAT KUMAR ROY: Sir, will you kindly ask the member to speak up. We cannot hear him.

Mr. J. W. NELSON: I do not understand the complaint that the process-servers are employed on degrading duties and sent to buy things at impossible prices. It is contrary to Government orders and if any process-server is asked to do such a thing, he should refuse.

As regards the case that was brought to the notice of the Council, the dismissal of Suresh Ch. Dutt, I can give Council the whole story.

In several districts in Bengal the process-servers are reluctant to wear the old brass badge. They have designed a silver badge which they are willing to pay. The wearing of this badge has been allowed in some districts. In Hooghly it was allowed conditionally, the District Judge reserving the right to cancel the order. Complaints were made about this practice, that the process-servers did not always wear even these badges and that they were so small that they cannot be easily recognised. The District Judge cancelled the order. The process-servers then began to agitate for getting from Government the cost of their silver badges and an unauthorised meeting was held by the process-servers in a Court compound at Howrah. Suresh Ch. Dutt was one of the ring-leaders. In the interest of discipline he was transferred to Arambagh. He proceeded to Arambagh and at once applied for leave. He was granted leave and his leave was twice extended, then a further application for extension was rejected but he never turned up. He was absent for a long period. Proceedings were drawn up against him for being absent and failing to rejoin. That is why disciplinary action was taken. That is the whole story.

Mr. P. N. GUHA: History as supplied to you by the District Judg

Mr. J. W. NELSON: Yes, I have explained the position of Gover ment in the matter. A Commission of Inquiry would do nothing mo than what is being done. The grievances of the process-servers a already under the consideration of Government.

With these words I oppose the motion.

Maulvi ABDUL HAMID SHAH spoke in Bengali; the Engli translation of which is as follows:—

"Mr. President, the House agreed to a resolution on the 19 August, 1930, to appoint a committee for investigating into tl condition of process-servers. I want to know whether there is a ground against giving effect to this resolution. Maulvi Saadatulli has referred to Government's financial stringency as a reason again the appointment of a committee. In reply I would refer to tl accounts presented by the Hon'ble Mr. Prentice in answering unstarr question No. 51 on the 27th July last. We find that in 1929 alo Rs. 25,44,653 were deposited in the civil courts as fees of proces servers. Out of this sum Rs. 10,79,759 were spent on their pay. W see a similar surplus in 1927 and also in 1928. I do not understan in these circumstances, why money should be wanting for the purpo of the proposed committee. What grieves me more than any thi else is that there should be opposition to giving effect to a resolutic passed by this House from some of its own members. I support tl original resolution."

The motion of Maulvi Syed Majid Baksh was then put and lost.

The fate of the two motions below was covered by the foregoi decision of the Council:—

Maulvi HASSAN ALI: "This Council recommends to tl Government that immediate effect be given to the resolution passe by this Council on the 19th August, 1930, regarding the formation an inquiry committee to investigate into the grievances of the proces servers in Bengal."

Babu AMULYADHAN RAY: "This Council recommends to tl Government that immediate steps be taken to consider the legitima grievances of the process-servers of Bengal by appointing a committe as suggested in the resolution of Babu Satish Chandra Ray Chowdhur passed in the Legislative Council on the 19th August, 1930, or l some other means as may be considered most suitable by tl authorities."

[At 4-45 p.m. the Council was adjourned for prayer and reassembled at 5 p.m.]

5 p.m.

"Charas" and opium dens.

Rai Bahadur Dr. HARIDHAN DUTT: Mr. President, Sir, I beg to move that this Council recommends to the Government that the sale of *charas* and the keeping of dens for smoking opium (*chandu*) in Bengal be prohibited at once.

Sir, most of my friends in this Council do not know what *charas* is. So, I may tell them at once that it is a poisonous drug which may be said to be the essence of *ganja*. It is manufactured from the resinous exudation from the flowery tops and stems of the hemp plant, and is smoked like tobacco in a hubble-bubble. It is the most potent of all the drugs obtained from the cannabis plant. It is a very dangerous narcotic—almost four times as strong as *ganja*.

It is smoked by some people in the North-Western Frontier Province, Rajputana, and the Punjab. It is said to be collected in and imported from Central Asia by non-Indian traders. It comes into Bengal from the Punjab under Government protection and through Government agency. The Government of Bengal caters to the requisition of the addicts who have come to live in Bengal. So far as is known, few Bengalis at present indulge in *charas*, although the baneful effect of the example of *charas*-addicts is always to be dreaded.

Its sale is greatly confined to Calcutta. It is fortunate that here also the sale has come down to 27 maunds in 1929-30 from 45 maunds in 1925-26. The license-fee collected in the whole of Bengal has come down from Rs. 1,81,627 in 1925-26 to Rs. 40,170 last year, even after the enhancement of the rate of fees. Deducting the cost of price and the cost of carriage, etc., the net income left is not much. On the other hand, the stoppage of its sale is likely to produce a greater demand for *ganja* by the addicts, and that may practically wipe out the financial loss to be incurred by the Excise Department in duty and licensing-fee for *charas*.

Sir, *charas*, as I have already said, is a poison and is never used as a medicine by any medical man. I challenge any medical man on the floor of this House to say that it has any medicinal value. *Ganja* may be said to have some medicinal value, but *charas* has none.

I learn, Sir, that its baneful effects have led neighbouring provinces to prohibit any sale or traffic in it. The drug is not allowed to be sold at present in Madras, Assam, Burma, Bihar and Orissa, and the Central Provinces and Berar. What a shame that Bengal has not yet thought fit to emulate the example of the other less-advanced provinces of India! The League of Nations has prohibited all traffic in and sale of *charas* in all other countries, but perhaps India is considered to be outside the pale of civilization.

Sir, there are 34 retail shops in Bengal for the sale of *charas*, and the sale is confined to men of bad character. Indeed, Government has shown its view of the harmful character of the drug by increasing the duty from Rs. 70 to Rs. 160 per seer.

Sir, it may be argued that prohibition of the sale of this drug will increase smuggling, but the vice is even now confined to comparatively so few people, that the prevention of smuggling is not a very difficult affair.

I therefore appeal to the Government of Bengal to put a stop to this most undesirable importation of this dangerous drug from the Punjab. It destroys character, and the toxic effect due to its indulgence is much greater than that of any other drugs. There is no doubt of its being a rank poison, and the possibility of its sale increasing can be prevented at once.

Any measure prohibiting the sale of *charas* will not require new legislation; nor will it entail any great loss of revenue. No vested interests will be threatened; there is no necessity to satisfy the cravings of the people of this province. I am advised that if the Hon'ble Minister accepts this resolution, he can implement it simply by departmental action. He can put a stop to this most pernicious system of selling *charas*. Sir, these are my reasons for moving the first part of my resolution.

Coming now to the second portion of my resolution, which relates to *chandu*, I must admit that only the other day Government placed before this Council a Bill suggesting the prohibition of the sale and smoking of *chandu* in Bengal. In view of that fact, I do not want to press the second portion of my resolution. I hope that the Council will support the first portion of my resolution.

After I hear what the Hon'ble Minister has got to say, I shall withdraw the second portion of my resolution.

Rai Bahadur KESHAB CHANDRA BANERJI: Mr. President, Sir, I rise to support the resolution. I am glad that after all the ballot-box has been kind to Dr. Rai Haridhan Dutt Bahadur. It is surprising, indeed, that a civilized Government should permit the sale of intoxicants such as *charas* and the keeping of dens for smoking opium (*chandu*) with impunity. As one connected with a Temperance Association for a pretty large number of years, I feel it my duty to raise my voice of protest against this pernicious practice which to my mind should be discontinued forthwith. It is well known that *charas* is the most powerful of the drugs made from the hemp plant. It is smoked like tobacco, and its effect on the human system is extremely injurious. Its baneful effects have led the neighbouring provinces, viz., the Governments of Assam, Burma, Madras, Bihar and Orissa, and the Central

Provinces and Berar, to prohibit traffic in it. In the latter province, the last *charas* shop was abolished in August, 1924, and the import, possession, and sale of *charas* were totally forbidden from that date. This action led the votaries of the drug to resort to *ganja*-smoking, which is a lesser evil, the relative potency of *charas* being four times as much as that of *ganja*.

It is useful to state in this connection that the total number of retail shops in this province is only 34, and the consumption amounts to 52 maunds in Calcutta alone. That Government realizes the harmful character of the drug will be evident from the fact that they have raised the duty to Rs. 70 per seer, and the selling-price to Rs. 160 per seer. Although the loss of revenue to Government on this account will be in the neighbourhood of Rs. 3 lakhs only, yet in the interest of public health the sale of this drug should be stopped altogether without the least possible delay. The main argument in favour of prohibition is that it brings ruin and misery to the addicts themselves and demoralizes the whole nation. It acts like poison in the human system, and imperceptibly undermines the health. The only objection that may be raised in regard to prohibition is that it would encourage smuggling, but it must be remembered that the vice is still confined to a comparatively small number of people and that the Excise Department is well able to deal with smuggling effectively and without much difficulty.

I should like to add, Sir, that the League of Nations has prohibited the export of *charas* to all countries that have discontinued the use of this drug, and I hope Government will consider this recommendation sympathetically and take such action as would ensure its total prohibition at no distant date.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I may assure the hon'ble mover that I have every sympathy with the principle underlying this resolution, which Rai Dr. Haridhan Dutt Bahadur has so strongly, so consistently, and, I may say, so insistently, advocated. The Government of India have decided to stop the sale of *charas* which is imported from Central Asia, and they have deputed Col. Chopra to inquire into the addiction to this drug as well as other drugs, and they are awaiting the report of Col. Chopra, which I hope will be forthcoming very shortly. Sir, we have no information as regards the action taken by other provincial Governments, and I am much obliged to the hon'ble mover for the information he has given. If the Governments of Madras, Central Provinces, Berar, Bihar and Orissa and Burma have already stopped the sale of *charas*, I am almost certain that the Government of Bengal will have no difficulty whatsoever in falling into line with them in this matter. But I may inform the House that Government have already taken adequate measure to reduce

the amount of sale of this drug by fixing the limit at one tola in place of 5 tolas and by increasing the age-limit of persons entitled to buy it from 16 to 20. Sir, I can assure the House that I shall very carefully go into the whole matter at the earliest possible opportunity—in fact as soon as this session of the Council is over—and shall try to follow the wishes of the legislature which seem to be in favour of the resolution. But in view of the fact that the question is under investigation by an expert, I would request Dr. Dutt not to press the motion.

As regards the second portion of his resolution, he has already stated that he will not press it, so I need not say anything on that point. With these words I would request Dr. Dutt to withdraw his resolution.

Rai Bahadur Dr. HARIDHAN DUTT: In view of what has fallen from the Hon'ble Minister, I beg leave of the House to withdraw my resolution.

The motion of Rai Bahadur Dr. Haridhan Dutt was then, by leave of the Council, withdrawn.

5-15 p.m.

A munsifi for Banskhali and Anwara thanas of Chittagong.

Haji BADI AHMED CHOWDHURY moved that this Council recommends to the Government that a Munsif's Court be established at Chandpur Dak-bungalow Hill for Banshkhali and Anwara thanas of the district of Chittagong.

He spoke in Bengali, an English translation of which is as follows:—

"Sir, I beg to propose before the House to make allowances for the establishment of a Banskhali Anwara Munsif Court in Chandpur Hill which lies at the border line of both Banskhali and Anwara police-station. Before I come to the details of my proposition I just want to clear before the House the whole topographical situation of the said Banskhali thana. The entire thana lies between the Bay of Bengal and a hilly range which is covered by a deep forest full of ferocious animals. On the eastern side of this hill situates the Satkania police-station where the present Munsif's Court is also situated. The population of Banskhali have to depend for their civil litigations to this Munsif's Court. They are to cover the hilly way of about 30 miles to reach the Munsif's Court and thus to conduct their civil cases. Just picture out for a moment the dangerous journey of the 30 miles which these people are to traverse almost every day to conduct their court business. I do not know why and for what conveniences the Munsif's

Court, having jurisdiction over entirely different thanas, has been situated in such a place which is separated by dense range of forests. But practical intelligence and little bit of commonsense dictate me to infer that it is only for the advantage of both the munsifs of the two mufassal courts living together in the same place.

Moreover, from the Government point of view, there will be no difficulty or additional expenditure in maintaining a Munsif's Court in Chandpur and the Government will probably feel it more convenient and advantageous in collecting Government revenues and *jamas* from the Banskhali and Anwara thanas.

I just want to make the point more clear that the present situation of the Munsif's Court is not only a disadvantageous situation to the litigant public of the Banskhali thana, but it adds to the disadvantage of the authorities also. I am referring to the disadvantage of the authorities keeping clearly in mind the sanitary condition of both the police-stations. Satkania is situated in a low land whereas the situation of Banskhali rests on more higher level having fine weather, sea-breeze, beautiful little hillocks which will naturally attract the attention of the cultured and educated men. Far from it I want to emphasise the beautiful situation of Chandpur which lies at the bank of the river Sankha having transport facilities both in river and land and which having been laid at the border of both Banskhali and Anwara thanas will be a very happy place for the establishment of a Munsif's Court.

The pains of journey is beyond description which the Banskhali people have to experience as they have to go to Satkania crossing the dense forest, teemed with wild and ferocious animals. So far as our experience goes we find that in every year about half a dozen of these poor villagers have become victim to these ferocious beasts as they are left with no other way in access to their court business. There is practically no way for communication through these mountainous range. People are to fold their umbrellas while passing through this thin jungly route in rainy days. It is to add more to their sad lot that poisonous snakes and other wild reptiles make their appearances to create their situation still worse. But there is no help for them than to face this difficult situation and running the risk of life at every time in pressure of their every day business in court. I had already brought to the notice of this House in the last August session that the distance is approximately 30 miles (*vide* Council Proceedings of 15th August 1930, page 306).

By the way I want to make it clear to the House that in Anwara thana there is not a Munsif's Court and the entire population has to depend on the Patiya Court. This Patiya Court too is not less than 25 miles from village Gahira, which lies at the furthest limit of the

There is a munsif in Patiya who is specially meant for the Anwara thana. My point of view is that I want to bring to your notice that one munsif from the Patiya Court, who is in charge of Anwara police-station and other from Satkania meant for Banskhali police-station may well be located at Chandpur. The Government has been approached more than once on this point, but to no effect; may be, that the pressure of circumstances had not been so acute as to make Government feel the necessity and the people residing in these two thanas having been far from education, culture and enlightenment they know not how to press their cause and the Government too on their part have perhaps taken the greatest advantage of their ignorance. Many officers in their inspection tour often remarked as to the great necessity of Munsif's Court in that locality. But their remarks and inspections have gone to the air. Our hon'ble Divisional Commissioner Mr. Momin in his Banskhali tour on the 18th of January last declared in a meeting of 10,000 people the necessity of the proposed Munsif's Court. These are, however, opinions—I am just putting forth all the opinions only to bring the question from different standpoint.

I think I shall not be irrelevant if I go by the way a little bit further in detailing the negligence of our benign Government. Union boards, having full authority and jurisdiction have been established in almost every thana and other districts, but in the district of Chittagong not a single union board has been empowered with full authority, though the members representing these boards are Deputy Magistrates, kazis, moulvis, Council members.

Another point, and I finish. These Munsifs' Courts being at a distance of so many miles have decreed many a suit *ex parte* in favour of zamindars, for the poor litigants cannot possibly manage to attend the courts at the proper time of the trial. So the poor raiyats are the worst sufferers. Justice being, thus every day, jeopardised and I know not how long the Government will allow this state of things to go on. So with these brief remarks I fervently hope that my proposition will get the whole-hearted support of the House."

Rai Bahadur KAMINI KUMAR DAS: As a representative of the people of Chittagong, as an inhabitant of Patiya and as having landed interest at Satkania I will be wanting in my duty if I do not give my views and that of the people of the locality regarding this resolution of my friend Haji Badi Ahmed Chowdhury. So I will briefly give my views and echo those of my friends at Chittagong. I should briefly submit that the proposal for establishing a Munsif's Court at Chandpur Dak-bungalow Hill is judicially unsound, geographically inconvenient and against the interest of the public. There are usually two courts at Satkania—the first court exercising jurisdiction over a portion of Satkania and the second court having jurisdiction over the remaining

portion of Satkania and the whole of Banshkhali thana. The work of the first court is disproportionately heavy and it cannot take up more work. The removal of the Banshkhali thana from the jurisdiction of Satkania courts will, therefore, still necessitate the maintenance of two courts at Satkania. Anwar thana falls under the jurisdiction of one court at Patiya and supplies sufficient work for the court. So on the removal of Banshkhali from the Satkania court there will have to be two munsifs at Banshkhali in order to do proper justice to all the cases that may crop up there from both Banshkhali and Auwara thanas which is not contemplated by the resolution. I understand that there was an estimate for the establishment of a single Munsif's Court at the Chandpur Dak-bungalow Hill and the cost came up to Rs. 50,000. Besides, there will be a running expenditure of a huge amount for nazareth—accountant, copying staff, and miscellaneous other things. The Bar of this new court will surely be weak as senior pleaders are not likely to go to the chowki of one munsif when there are chowkis with more munsifs near by. The proposed site has no post office or proper institution for English education, no good dispensary, no good doctors. So a senior munsif will find out a pretext not to go there and accordingly the cases will be decided by junior munsifs with the help of junior members of the Bar. Communication will also be inconvenient, specially during the rainy season, and litigation by taking senior pleaders from outside will be extremely costly. A new railway has now been started from Chittagong to Dohajari—it may extend to Ramoo and branches may be taken to other places as convenience will suggest; so at this time of depression and financial difficulty and specially taking the other facts into consideration, I leave it to you, Sir, to consider about the establishment of a Munsif's Court at Chandpur Dak-bungalow Hill as proposed by my hon'ble friend.

Mr. J. W. NELSON: I rise on behalf of Government to oppose the resolution.

The step recommended in the resolution would be a retrograde step. Sir, it has been the policy of Government and of the High Court—and the High Court has a great say in these matters—to combine Munsif's Courts in one suitable place and to abolish single Munsifs' Court. The reasons for this policy are firstly, that court business can be more efficiently and economically run if there are 3 or 4 munsifs than if there is only one munsif. Secondly, when you have a single munsif in a small village you cannot have a strong Bar, and I think the Council will agree with me when I say that the efficiency of the administration of civil justice depends a great deal on the efficiency of the Bar.

As regards the merits of this particular proposal, namely, the establishment of a Munsif's Court at Chandpur Dak-bungalow Hill I

have been to this place and I know what it is like. It is on the boundary between the two thanas and has none of the institutions that usually exist at a thana headquarters.

There is no school, no dispensary there; perhaps even no post-office. There is one thing which I did not know when I went to Chandpur and that is that the residence of Mr. Badi Ahmed Chowdhury was near by.

Finally, there is the question of cost. The establishment of a Munsif's Court at Chandpur would involve an initial expenditure of about Rs. 50,000 and would also mean an increase in recurring expenditure. Even if it were proved that the proposal was a good one, in these days of financial stringency Government could not provide the money.

For these reasons I beg to oppose the resolution.

The motion of Haji Badi Ahmed Chowdhury was then put and lost.

Purchase of indigenous articles.

Maulvi SYED NAUSHER ALI: I beg to move that this Council recommends to the Government that instructions be issued to all purchasing departments of the Government of Bengal that in making purchases preference be given to articles manufactured in Bengal and that the Director of Industries be consulted and be given an effective voice in determining the quality of the goods.

My resolution is very simple. It requires no explanation and no elaboration whatsoever. It smells of no boycott of British goods. It is clear from the resolution itself that it requests Government to give preference to products and articles manufactured in Bengal as against even articles manufactured in other parts of India. Sir, the one pressing problem for Bengal now is the development of her economic resources. The development of her economic conditions is essential for the development of the province as a whole. Now, Sir, it has been recognised by this Council only last week when it passed the State Aid to Industries Bill. But it will be of no use whatsoever if Government simply aid an industry and does not give preference to articles manufactured by these industries—and one of my learned friends reminds me that it is another sort of aid—I would rather say it is the best way of aiding an industry. I do not wish to take up any more time of this House but hope that there will not be a single soul in this House, Indian or European who will not support my resolution. I am not pressing for undue preference. I am not pressing for preference to be given to articles which are inferior in quality to that of articles manufactured in other parts of India or of the world. What

I am pressing for is that preference be given to articles manufactured in Bengal and that in the matter of the goods to be so preferred, an effective voice in determining the quality of the goods be given to the Director of Industries who is a Government officer. With these few words I commend my resolution to the acceptance of the House.

5-30 p.m.

Babu SATISH CHANDRA RAY CHOWDHURY: Sir, I beg to give my whole-hearted support to the resolution. The acceptance of this resolution by this House and the Government will be a fitting sequel to the passing of the Industries Bill. If the Government cannot for obvious reasons go so far as to guarantee the purchase of commodities turned out by an industrial concern supported by iteself, it can at least impart a stimulus to the indigenous industries by giving preference to our own country made articles. It is the least that any people can expect from its own Government. We hear much of lip sympathy now-a-days from Government officials for the development of our industries. But these sympathies have hitherto been never translated into action.

Bengal is an industrially backward province. It is therefore all the more incumbent on the Government of Bengal to do all in their power to stimulate Bengal's industries and there can hardly be a better method of doing so than by requiring the purchasing departments to give preference to our own articles.

Government purchase must have a very beneficial effect on the industries in more ways than one. Apart from the financial help it will give to any particular industry, the industry will gain in prestige and will more effectively be advertised. Nay—the Government being necessarily big purchasers will be in a position to exert a very strong and healthy influence on the industry through its experts for improvement and also for remedying the obvious defects and in such a case those engaged in the industry cannot fail to give a very close attention to all suggestions coming from the Government.

The step, I am sure, will resuscitate many a dying and tottering industry and will put on legs many a newly started ones.

Sir, many of our industries have been killed in their early stage by foreign competition on the one hand and by the want of that patronage which is indispensable in the earlier stages of an industry in these days of hard competition.

The Government by agreeing to the proposal will more effectively demonstrate that it has really at heart the industrial progress of the country than it can do in any other way and that is the only way it can atone for its past sins of omission and commission in the matter of our industrial welfare. No excuse and no technical difficulties ought to stand in the way of its full acceptance in a liberal spirit.

The economic evils of foreign domination—which are its greatest evils—are never brought so vividly home to us as when we find the Government deliberately purchasing from foreign markets while our own products do not find a market and our industries languish for patronage and support. Even this splendid House in whose cool atmosphere we are doing our business reminds us at every step how much could have been saved to this country, how much could have gone to our own producers and manufacturers if only our Government had a national outlook and if they had known that "preference" is no longer an economic heresy.

But let the past bury its dead. New ideas are in the air, a new spirit is animating us all—and a new destiny awaits us. Will not our Ministers rise to the dignity of their offices, take courage in their both hands and usher in the new day and absorb the new rays in their various departments, or will they remain the back numbers—the puppets of destiny?

Mr. R. N. GILCHRIST: Sir, it is hardly necessary for me to dwell at any length on this resolution as it almost exactly represents the accepted Government policy in the matter of the purchase of stores. The existing stores rules, published in 1926, definitely give preference to articles purchased in India and I will just read to the Council part of the instructions which were issued to purchasing officers, to show how definite are the intentions of Government regarding local purchase. These instructions say:—

"The Governor in Council desires to emphasise that the policy underlying the adoption of the rules (which were framed on the lines of the rules previously issued by the Government of India) is the encouragement of the industries of the country without sacrificing economy, and he similarly desires to impress on all departments and officers the importance which he attaches not only to a strict adherence to the letter of the rules, but also to a loyal observance of the principle underlying them."

That, Sir, is a very clear statement of Government policy regarding preference for stores manufactured in India. The rules issued by the Government of India were revised in 1929, and the local Government have since taken up the question of revising their rules; the suggested rules have been circulated to all purchasing officers and departments of Government, for criticism, and the whole case is almost ready for completion. I should like to mention to the Council the four different grades of preference which Government have suggested. The first preference is to articles which are produced in India in the form of raw materials, or are manufactured in India from raw materials produced in India, provided that the quality is sufficiently good for the purpose. The second preference is to articles wholly or partially manufactured in India from imported materials, provided that the quality is sufficiently good for the purpose. The third preference is

to articles of foreign manufacture held in stock in India, provided that they are of suitable type and of the requisite quality; and the fourth preference is to articles manufactured abroad which need to be specially imported. In addition to this general scale of preferences, the local Government have suggested as a part of their policy that preference should be given to articles produced in Bengal. That meets, Sir, the first part of the mover's resolution.

Now, with regard to the machinery which the mover suggests, viz., that the Director of Industries be given an effective voice in determining the quality of the goods, I will just read the following draft instruction which has been suggested:—

"Copies of all indents (for articles from abroad) should be sent direct to the Chief Controller of Stores, Indian Stores Department, and the Director of Industries, either before despatch or simultaneously with their despatch, for scrutiny, in order that he may suggest means of obtaining the articles locally, if possible."

I suggest, Sir, that these rules show that both in the matter of policy and of executing that policy, Government are practically doing what the hon'ble mover asks. Under these circumstances I suggest that it is hardly necessary for him to press his resolution and I hope he will withdraw it.

Mr. NARENDRA KUMAR BASU: Why not accept it?

Maulvi SYED NAUSHER ALI: If my resolution is accepted then I am prepared to withdraw it.

Mr. PRESIDENT: I cannot really understand how Mr. Nausher Ali can withdraw the resolution, if it is accepted. (Laughter.)

Mr. R. N. GILCHRIST: I suggest that the mover should withdraw the resolution, as it is practically given effect to at the present moment. It is hardly necessary for Government to accept the principle again.

The Hon'ble Mr. A. MARR: May I point out that we cannot accept the second portion: "and that the Director of Industries be given an effective voice in determining the quality of the goods". Government are prepared to accept the first part.

Maulvi SYED NAUSHER ALI: Sir, may I just know the wording of what Mr. Gilchrist said regarding the Director of Industries before I accept it?

Mr. R. N. GILCHRIST: Sir, may I repeat the wording which has been suggested by Government for the new rules, viz., "Copies of all indents should be sent to the Chief Controller of Stores and the Director of Industries for scrutiny in order that he may suggest means for obtaining the articles locally, if possible."

Mr. PRESIDENT: I am afraid it will create complications if I allow all sorts of alterations to be made in the resolution at this stage.

Mr. R. N. GILCHRIST: If the mover is satisfied with the wording used in the instructions he need not insist on the resolution being accepted, as it serves his purpose.

Mr. PRESIDENT: The mover can either press his resolution or withdraw it.

Maulvi ABUL KASEM: Sir, in the reply given by Mr. Gilchrist a good deal of stress has been laid on articles of Indian manufacture

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Mr. PRESIDENT: Order, order. We have reached a stage when no further speech can be allowed. It is up to the mover of the resolution now before the House, either to withdraw it, or insist on its being put.

Maulvi SYED NAUSHER ALI: In view of what I have heard, as I am not convinced that the first part of my resolution is going to be accepted, I am constrained to put it to the vote.

Mr. R. N. GILCHRIST: Sir, I thought that I made it clear that the first part had been accepted————

Mr. PRESIDENT: The only course left to me is to put the question before the House, as the mover insists on its being put.

The motion of Maulvi Syed Nausher Ali was then put and agreed to.

The following resolution was called but not moved and therefore deemed to be withdrawn:—

Babu JITENDRALAL BANNERJEE: "This Council recommends to the Government that a committee of nine, consisting one-third of officials and two-thirds of non-officials (to be elected by the elected members of this Council) be appointed to inquire into the alleged acts of oppression and high-handedness committed by the police and executive officers of the Birbhum district between the months of July and December last at Rampurhat, Mollarpur, Sainthia, Khoyrasole and various other places of the Birbhum district."

The following amendment failed:—

Mr. P. BANERJI to move, by way of amendment, that at the end of the motion of Babu Jitendralal Bannerjee, the following words be added:—

"Midnapore district and the Diamond Harbour subdivision of the 24-Parganas district."

5-45 p.m.

Scheme of the Chittagong Municipality for free primary education for girls.

Maulvi NURAL ABSAR CHOUDHURY: I beg to move that this Council recommends to the Government to sanction the scheme submitted by the Chittagong Municipality for the introduction of free primary education for girls on an improved scale and to make it compulsory after amending the Act.

Sir, of all the educational problems which have been perturbing the Indian minds to-day, that of the female education is, perhaps, the most momentous. Sir, you will note with refreshing delight that the Chittagong Municipality is fully conscious of the needs of free and compulsory girls' primary education, and has been hatching, for long, a comtemplation to materialise this consciousness on a co-operative basis, by drawing the sympathetic interest of the Government.

It is also notable that the present contemplation is due directly to the impetus received from the already instituted system of free and compulsory primary education for boys, in the municipal area of Chittagong.

It is superfluous to dwell much on the need of female education in Bengal which represents a marked difference between the percentage of male literacy (22 per cent.) and that of the female literacy (about 2 per cent.).

Perhaps, this piquent contrast called forth the attention of the members of the Auxiliary Committee of the Indian Statutory Commission, better known as the Hartog Committee, who very aptly remarked at page 183 of their interim report that "We are definitely of opinion, that in the interest of the advance of Indian education as a whole, priority should be given to the claim of girls' education." It also transpires from the report on the public instruction in Bengal for the year 1928-29 that girls' primary education is far backward as contrasted with that of boys, and, this striking excess of leeway has to be made of immediately in Bengal.

The municipal commissioners of Chittagong are sparing no pains to combat this overwhelming backwardness of female education, and to place it on a sound economic basis. They are spending most liberally, about 18 per cent. of the general income on primary education. The following statistics will bring home to you how they have multiplied

their expenditure on primary education and it will also bring to light how small is the Government contribution as compared with that of the municipality.

Year.	Total expenditure.	Government contribution.	Municipal contribution.
	Rs.	Rs.	Rs.
1903-10	490	..	490
1920-21	3,300	1,000	2,300
1928-29	26,925	7,674	19,449
1929-30	27,829	7,576	20,303

From these figures, Sir, it is obvious how disproportionate is the Government share of the cost during the last two years in increased expenditure of primary education.

It is worth while to notice one fact under the heading "The aims and objects of the Primary Education Bill for rural areas," just introduced and passed in the Council, the Hon'ble Minister in charge of Education regrets that since the passing of the Bengal Primary Education Act of 1919 practically very few local bodies have come forward with any such scheme, though Government promised to bear half the cost of every scheme. Such remarks are to be met with in every year's education reports and other report of the Bengal Government. Here is our Chittagong Municipality, Sir, ever ready to shoulder half the cost and has been knocking at the door of the Education Department, from year to year, since 1922, but with no effect. Every time the municipal commissioners sent their appeal for the sanction of even less than half the amount, the stereotyped response has always been "no fund." Let us quote here a few lines from the letter of municipal commissioners bearing No. 1323-G., dated the 24th May, 1930, to the Director of Public Instruction wherein also, a very brief history of their endeavour for the extension of primary education may be found: "From the correspondence in file you will notice that the municipal commissioners are trying from so far back as 1922 to secure a substantial grant for expansion and improvement of free primary education for girls. They had submitted a cheap scheme for the expansion and improvement of the free primary education for the girls of their municipality, including all the girls' schools now in existence, through the Inspector of Schools to the Director of Public Instruction in 1926 along with their scheme for free and compulsory primary education for boys, but the scheme was not sanctioned on the excuse of want of fund. A copy of the same was forwarded to Mr. K. C. Roy, the then Additional Director of Public Instruction, when he was pleased to visit Chittagong and to inspect some of our municipal schools during the month of March, 1929. He made some remarks about this scheme in his inspection note, forwarded with his D.-O. No. 955, dated the 14th May, 1929, and made some suggestions therein in regard to the

preparation of another scheme in the light of his suggestions. In the month of May, 1929, a representation was submitted to the Director of Public Instruction for a recurring grant of Rs. 5,000 for the improvement of girls' education. Subsequently another scheme was prepared based on the principles and suggestions embodied in the inspection notes of Mr. K. C. Roy with some modifications in order to make it suitable to local requirements and circumstances. One copy of the scheme was sent through the Inspectress of Schools and one copy direct to Director of Public Instruction for sanction. The Inspectress of Schools, Dacca Circle, by her letter No. 5927, dated the 6th August, 1929, informed the municipal commissioners that she would not recommend the scheme unless she had visited some of the schools and that there was no fund to finance such a scheme during that financial year. Thereupon the Director of Public Instruction, by his letter No. 7848 (C4E/226-29), dated the 31st August, 1929, addressed to the Inspectress of Schools, Dacca Circle, informed her that the question of funds would not stand in the way and the department would be glad to have her opinion and recommendations on the scheme which she would submit after visiting some of the schools. On receipt of this letter the Inspectress of Schools, Dacca Circle, visited 14 schools and submitted her inspection remarks in her letter No. 7518, to the Director of Public Instruction wherein she recommended 7 schools at a recurring cost of Rs. 12,000 a year, to be borne half by the Government and half by the municipality, and, for a capital expenditure of Rs. 40,000—half of which to be paid by the Government in 10 years, and recommended the gradual improvement of the remaining 23 schools and made some other suggestions. A copy of her remarks was sent to the municipal commissioners, on receipt of which the municipal commissioners prepared a revised scheme in the light of her recommendations and suggestions, with slight modifications as necessitated by exigencies of local circumstances and sent the same to the Director of Public Instruction through the Commissioner of Chittagong Division (who forwarded the same with his strong recommendations) and also through the Inspectress of Schools, Dacca Circle.

As stated above, the scheme is most cheap and at the same time embodies principles of shift system, as suggested by the Director of Public Instruction and that of the Inspectress of Schools retained with slight modifications. As from the copy of the letter No. 7848 (C4E/226-29), dated the 31st August, 1929, the commissioners strongly believed that the question of money would not arise and that their scheme had every chance of being approved of by the Government. They substantially gave effect to it in anticipation of Government approval. Now they find themselves practically between the horns of dilemma as to what to do. They have increased their own quota to its utmost, they have been spending more than Rs. 7,000 on female

education from the last year and they have no fund to spend more for this scheme. Almost all the schools in the scheme are progressing and improving very favourably. The number of girls is ever on the increase. The total number of girls reading in all these schools is 1,403, of which more than 800 are Moslem girls who are very backward in education. The introduction of free and compulsory primary education for boys in this municipality has given a great impetus to female education and certainly it is not your desire, Sir, that the advantage of this great stimulus should not be utilised for the spread of female education. The municipal commissioners appeal to the Government in the name of humanity to reconsider their decision and to approve the scheme in question. They strongly believed that if the Government were pleased they could find out this small recurring cost for the scheme.

As the system of zenana education has been condemned by the Inspectress of Schools and as in view of the establishment of so many girls' schools in Chittagong, there is no necessity of zenana education there, the commissioners requested that the Government would abolish the said system and divert the amount so saved, for the scheme in question or pay the same to them for girls' education.

We think the above quotation speaks its own tale and we need not comment on the same. The commissioners have subsequently passed a resolution in their general meeting, dated the 20th November, 1929, requesting the Government to allow them to make the girls' education compulsory, as they have done in the case of the boys by amending the Bengal Primary Education Act, 1919.

Sir, I have already taxed your patience for a pretty long time. I appeal to you, Sir, on behalf of the Chittagong municipal commissioners and the poor girls with all the force and emphasis I can command to accept my motion and uphold the cause of female education in the municipal area of Chittagong.

Rai Bahadur KAMINI KUMAR DAS: Sir, I do most heartily and sincerely support this wholesome resolution of my friend Maulvi Nural Absar Choudhury. As a municipal commissioner for the last 23 years I am fully acquainted with the facts of our municipality, which is poor, as it has to spend a good deal in maintaining roads and drains of a vast area with an amount of tax which is hardly sufficient to meet all necessary demand. Besides the fall of trade, the general depression and despair now prevailing at Chittagong have told a good deal upon our collection.

But truly it has been said by the Director of Public Instruction by his letter just mentioned that the question of funds need not stand in

the way of this most important question of compulsory female education. Sir, the future good or bad of a country depends entirely upon its mothers and India needs nothing so much to promote her regeneration as good mothers.

Sir, you will, I hope and trust, admit that India is in urgent need of regeneration and so badly in need of good mothers, and to have good mothers we must have good daughters, and there is little chance of having good daughters unless she is properly educated and trained and that is why the great Indians of yore had said "*Kanyácheba pálania Sikshániati Jatnata*"—the girls are to be maintained and educated with care and caution.

In the case of the Chittagong Municipality, which claims to be pioneer of all municipalities of Bengal in the matter of primary education, thanks to the untiring zeal and energy of our worthy Chairman Maulvi Nur Ahmed, M.A., B.L., it is urgently a necessity to provide fund for free female education. The greater number of permanent population of the Chittagong Municipality are poor Muhammadans. They are the original residents, richer people of other classes have recently come and are coming to reside within the municipality, but they can afford to impart education to their girls at their own costs if so minded and as they can mostly understand the benefit of education they would try to educate their girls even at some sacrifice and curtailment of other costs, but in respect of the poor Muhammadan population the case is reverse. They are mostly illiterate and so do not understand the value of education so much and they are so poor that they can ill-afford to spare anything for education of their girls even if so minded. It is a very hopeful sign that even these illiterate countrymen of ours are coming forward day by day to educate their girls whenever possible.

In 1919 within the municipality of Chittagong there were 5 girls' schools with 124 students. In 1920 the number of schools was 7 and students 233. In 1923-24 the number of schools rose to 12 and students to 463. In 1925-26 there were 20 girls' schools in Chittagong Municipality and the number of students was 621. In the year 1926-27 the schools were 25 and students 794. In the following year the number of schools rose to 31 and students reading therein were 1,052. There have been gradual increase of schools and students and at present, there are about 1,500 girls reading in different girls' schools and of these about 800 are Muhammadan girls and this increase is due to the introduction of free education in the hope of getting adequate grant from the Government which I hope and trust should not be long delayed.

With this brief submission I recommend the motion of my hon'ble friend for the acceptance of the House.

6 p.m.

Babu SATYENDRA KUMAR DAS: Sir, I rise in support of the resolution, not because I have any particular interest in the Chittagong Municipality, but because I am on principle in favour of the introduction of compulsory free primary education for girls in every municipality of Bengal.

When we look at other self-governing countries and compare their percentage of literacy with that of ours, we hang our head in shame. In Japan the percentage of literates is 97 per cent., in America it is 95 per cent., in England 93 per cent., whereas in Bengal the percentage is hardly 10 and literacy of its people is mainly confined to males. It is our paramount duty to provide education for our womenfolk so that we may not prove unworthy of the constitutional responsibilities for which we are striving.

Sir, only the other day my friend Munindra Deb Rai Mahasai introduced a Bill to grant franchise to the womenfolk of Bengal in regard to municipal elections. Now, I ask, is it possible for them to exercise their franchise unless they are educated? Sir, of the mufassal municipalities, Chittagong was the pioneer in providing free compulsory education for the boys. It is quite fit and proper that the girls, who are the future mothers of our nation, should receive education under every municipality besides boys. With one half of the nation steeped in ignorance we cannot rise equal to the other civilised nations of the world unless provision is made for such education. The Sarda Act enacted in the Central Legislature, has given us this facility, namely, that girls up to a certain age before their marriage may receive their education. It is found in history that in different parts of the world womenfolk contribute a great deal towards the advancement of a nation. In the life of individuals also the mother is greatly responsible for the upbringing of her children. The achievements of Napolean Bonaparte are attributed to the influence of his mother. With these words, I whole-heartedly support the resolution.

Haji BADI AHMED CHOWDHURY spoke in Bengal; an English translation of which is as follows:—

"Sir, I whole-heartedly support the resolution moved by my friend Maulvi Nural Absar Chaudhury on the question of the introduction of free and compulsory education in the primary girls' schools under Chittagong Municipality. In 1922 Chittagong Municipality made primary education of boys free and compulsory for the first time in Bengal. But Government have repeatedly disregarded its prayer for helping it in the introduction of a similar measure with regard to girls. Chittagong Municipality spends about Rs. 20,000 annually for primary education. Chittagong is entitled to receive forty thousand

rupees annually from Government for the same purpose but Government give it only seven thousand rupees and the remaining thirty-three thousand is spent uselessly on additional police posted in the district. Female education should be based on free and compulsory primary education for girls. The Hon'ble Minister in charge of Education, the Director of Public Instruction and other high Government officials have inspected the primary girls' schools in Chittagong and have held out hopes. I hope that the Hon'ble Minister and others will accept the scheme submitted by the Chittagong Municipality."

Maulvi SYED NAUSHER ALI: Most of the speakers who have spoken before me come from Chittagong. I do not belong to Chittagong. I belong to the district of Jessore. But, Sir, it is a matter that concerns not only Chittagong but a matter which concerns the whole of Bengal. It is a matter which ought to have been attended to long ago. The speeches that I have heard to-day on the floor of this House disclose a deplorable state of things on the part of Government. Government ought to have taken steps long ago. The Commissioners of the Chittagong Municipality have agreed to spend out of their small income a substantial amount for the spread of primary education among the girls of the town. They are prepared to spend Rs. 60,000, if I remember aright, out of their small income for making primary education free and compulsory within the municipality. But Government could not find a small sum of Rs. 6,000 for this purpose. (A VOICE: Shame.) Shame indeed. Sir, free primary education is the prime need of this country and this was recognised by the Council and the Hon'ble Minister for Education who got an Act passed against the opposition of half the House and that very Minister, I am pained to see, has not been able to provide this small sum of Rs. 6,000 for the spread of free primary education within the municipality of Chittagong and making that education compulsory. There must be something wrong in the Ministry—either the Minister is lacking in sympathy or he has not got that influence in the Cabinet which will enable him to get money sanctioned for this scheme. I hope the Hon'ble Minister will immediately pay proper attention to the subject and I also hope that this scheme will be an accomplished fact in the near future. With these words I hope the resolution will be unanimously passed by this House.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: At the very outset I should like to take this opportunity of congratulating the Chairman and the Commissioners of the Chittagong Municipality for the efforts they have made for the spread of primary education in Chittagong

town. We have no doubt that the Chittagong Municipality leads in this respect so far as the municipalities in Bengal are concerned. It is the only municipality which has so far made arrangements for providing free primary education for all the boys in the town of Chittagong. It is not a question of leading in the matter: it is far ahead of any other municipality in Bengal. As far as other municipalities are concerned they have got three, four or half a dozen schools all told, whereas Chittagong has a complete system of schools which provides for free primary education of all the boys.

Similarly, they have also introduced and made arrangements for imparting primary education to girls in the Chittagong Municipal area. There is no doubt that Government appreciate very much all that has been done by the commissioners of the Chittagong Municipality in this respect.

As far as the resolution itself is concerned, two questions have been raised: one is about the amendment of the Act and the second is about finding money for the scheme which has been submitted by the commissioners of the Chittagong Municipality. I will deal with the amendment of the Act first. In this connection I should like to refer to the speech which has been made by Maulvi Nausher Ali. One of the chief reasons why there has been delay in dealing with this subject is that the Chittagong Municipality wanted not only the scheme to be financed but they also made a request that the Act should be amended in such a manner as to give the municipalities the option of bringing in a clause about compulsion. I may just explain the position. There is an Act at present which enables the municipalities, with the sanction of the local Government, to introduce compulsion in the municipal area, but in that Act there is no provision for making it compulsory as regards girls: therefore the only way in which it can be done is by amending the Act. Before Government could agree to this policy they consulted all the municipalities in Bengal and there was a great delay in getting the replies from them; but I am glad to inform the House that all the replies have now been received. The Department of Education has agreed to amend the Act and a Bill is being drafted by the Legislative Department. So far as the Government has not come to any decision on this question because until the Bill is drafted it cannot do so, but I have every reason to believe I will be able to introduce the amending Act in the next session of the Council. This Act, when passed, will enable the municipalities to introduce compulsion with the sanction of the local Government as regards girls.

Then comes the question of the scheme. In this connection I should like to admit that there has been unfortunately a certain amount of delay in dealing with it. It is extremely regrettable that there has been some delay in this matter, but it is entirely due to the

fact that this question has not yet been placed before Government because the scheme is being examined by the department and there has been a certain amount of discussion and controversy between the Minister and the Government as regards the scale of salaries and as to whether the scheme is really going to enable all the girls within the municipality in getting their education. These questions are rather important and I have gone in detail into the question whether the scales proposed were such as would be acceptable or rather whether it would be possible to make a uniform scale for all the municipalities in Bengal. These are the questions we had to deal with and there has been a certain amount of delay for which I am very sorry, but I can assure the House that there is no reason to apprehend that there would be any difficulty in getting the scheme approved.

6-15 p.m.

We have now reached a stage when, as far as the Education Department is concerned, the scheme has been approved, but I cannot say anything further than this, because the question will have to be placed before Government as a whole, and I cannot anticipate the decision of Government. But as far as the Education Department is concerned, we have accepted the scheme, and we intend to go up to Government very soon with regard to this proposal. In view of what I have said, I would request the mover to withdraw the resolution. I would like only to add that, practically, we have agreed to amend the Act, and I hope that we shall be able to do something as far as the scheme is concerned.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, we have heard the Hon'ble Minister at some length on the question before the House, but he has not given any definite assurance with regard to the provision of funds to which reference has been made. I think that an assurance from the Hon'ble Minister on this point will do away with criticism.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, I cannot anticipate the decision of Government, and therefore I cannot give any such assurance.

Maulvi NURAL ABSAR CHOUDHURY: Sir, in view of what the Hon'ble Minister has said, I beg leave of the House to withdraw the resolution.

The motion of Maulvi Nural Absar Choudhury was then, by leave of the Council, withdrawn.

Grant to Arambagh Municipality, Hooghly, for anti-malarial measures.

Rai Bahadur SATISH CHANDRA MUKHERJI: Sir, I beg to move that this Council recommends to the Government that a lump grant of Rs. 4,000 and a yearly sum of Rs. 1,000 be granted to the Arambagh Municipality in the district of Hooghly, for five years to enable the said municipality to start anti-malarial measures for combating malaria.

Sir, ordinarily it is not the practice of Government to help local bodies in the manner I have proposed, but the condition of Arambagh is unique, and that fact alone has impelled me to move this resolution before the House. Sir, the conditions of all subdivisional towns, as regards population, prosperity and other amenities, have improved during recent years, but the condition of this subdivisional town is unique. Instead of any advancement, there has been a fall in the number of population during the last 30 years by about 10 per cent. This state of affairs became possible on account of the removal of the bund of the Damodar on the right side, and the people there are in the grip of malaria, and consequently they are in a miserable plight. This town, although a municipal one, is really a rural area, and its real income is barely Rs. 8,000, excluding service tax and grants, and it is hardly possible for such a municipality to struggle on with the small resources at its disposal. Therefore, although it is not ordinarily the practice of the local Government to give pecuniary help to municipalities in regard to such matters, still in such an exceptional case as that of Arambagh I do hope that Government will do something to help the municipality. I appeal to the Hon'ble Minister to come to the rescue of this municipality, otherwise the fate of this town is sealed. Probably the Hon'ble Minister himself has some knowledge of the condition of this unfortunate place. The area of the municipality is about 10 square miles and its income is within Rs. 8,000. I am not particular about the exact sum to be given to the municipality, but I appeal to the Hon'ble Minister to accept the principle underlying my resolution and provide the municipality with some funds, so that it may start anti-malarial measures. I hope it will be possible for the Hon'ble Minister to do something to help this poor and struggling municipality.

MUNINDRA DEB RAI MAHASAI: Sir, I rise in support of the resolution just moved by my friend Rai Bahadur S. C. Mukherji. There are cogent reasons behind the resolution to justify special consideration for Arambagh. It is one of the worst places not only for its inaccessibility but for its unhealthiness. It is a notorious place for a virulent type of malaria which rages for the most part of the year. Arambagh is a misnomer to those who have no knowledge

about it. It is said that it rather serves the purposes of a penal settlement for Government officers who are posted there. The Collectors and other touring officers generally complain that their health is impaired if they stay at Arambagh for a few days. Our present Collector, Mr. Larkin, had a sad experience of the place which I think he will not soon forget. In these circumstances, I should ask the Hon'ble Minister who has some knowledge of the place to do something tangible for Arambagh to improve its sanitation which has got better claims for special consideration than any other place in the district. With these few words I commend the resolution for the acceptance of the House.

Maulvi SYED NAUSHER ALI: Sir, I regret very much to be compelled to oppose this resolution. Sir, from what I have heard, it seems that the condition of the people living in this subdivisional town is rather tragic, but I cannot find any principle upon which this grant can be made. I belong to Jessore and I have some experience of the place. Jessore is notorious for its malaria, and the Hon'ble Minister was apprised of the condition of the town when he very kindly paid a visit to the place. It is well known to every member of this House that the population of Jessore has decreased and the town is notoriously unhealthy, and if this resolution is passed I shall come forward with a similar resolution for giving a grant to the Jessore Municipality (Cries of "you do") and similarly other municipalities will come up with requests for help. And in these days of financial stringency Government will not be in a position to help municipalities in the way suggested. Therefore, Sir, I submit that if Government is at all willing, if Government is at all able, to help municipalities with grants as suggested by the mover, it should make inquiries and ascertain what other municipalities are mostly in need of financial assistance for coping with malaria, and after ascertaining this, it may gradually go on helping the municipalities. But I think I shall be justified in opposing a resolution like this which seeks to give preferential treatment to one municipality without considering the claims of other municipalities in the whole province. With these words I oppose the resolution.

Mr. NARENDRA KUMAR BASU: Sir, I should have thought that this resolution would commend itself to all sections of the House, but the last speaker, while not feeling any difficulty in the case of a grant to a solitary municipality in the district of Chittagong in the matter of female education in preference to all other municipalities in the province, feels a great deal of difficulty in supporting this resolution for giving financial assistance to a small municipality, because, forsooth, neither he, nor myself, nor any other member of this House, has tabled any resolution in respect of other municipalities. If a

grant like the one proposed were to be opposed on the ground that Government was not a hunting ground and would be faced with similar requests from other municipalities if this request were acceded to, then I submit that the purpose of our being here and moving any resolution would be absolutely lost. I submit that no ground has been made out for opposing this resolution, subject of course to what the Hon'ble Minister may say. I think the condition of Arambagh or Jahanabad, as it was called, is sufficiently well known to all, and that a small grant of this nature is absolutely necessary for the purpose of helping a small municipality like this. I do not grudge this grant to the Arambagh Municipality: in fact, I support it. I myself come from the district of Jessore, which is notoriously unhealthy, and I shall be only too glad if some such grant is made to the municipality, may, even to the district board of Jessore. I do not see any reason why because Jessore has not asked for any grant, therefore Arambagh should be deprived of a grant. I suggest that the opposition of the last speaker is absolutely groundless.

Babu SATISH CHANDRA RAY CHOWDHURY: Sir, I beg to support this resolution. It is a matter of extreme regret that my friend Maulvi Nausher Ali should have thought it fit to oppose this motion. Because we have certain grievances, therefore it is no reason that we should not allow other's grievances to be brought forward. I think that on the other hand we should proceed in a spirit of mutual good-will and co-operation. I submit that it would be rather a good thing if Government could be induced to come to the rescue of such municipalities as are badly in need of financial assistance. There is no good reason for opposing this resolution; rather there is every reason for welcoming such a motion, and everyone should give whole-hearted support to it. As we find it, a strong case has been made out why a grant should be made to the Arambagh Municipality, which my friend Rai Mahasai stated was a misnomer. I submit, Sir, there are municipalities which are not in need of funds from Government to cope with the problems of malaria, while there are other small municipalities which are in need of financial assistance. But it cannot be said that all municipalities are in need of such assistance. The real point seems to be whether it is a case in which Government should come forward with financial assistance, and there is no reason why anybody of this House representing any part of the country or representing any municipality for the matter of that should oppose such a resolution. It is not for us to say whence the money will be forthcoming, but it is for Government to say whether funds are available or not. No member of the House, however, should discourage a resolution like this on the score of financial stringency, and I submit that the whole House should give its whole-hearted support to the motion.

6-30 p.m.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, coming from one of the malarious districts of Bengal and having first hand acquaintance with the depressing state of affairs in Arambagh, I cannot but approach this resolution with every possible sympathy. I submit that Government had deputed Dr. Sur, one of our Assistant Directors of Public Health, to make a survey of the state of affairs in the municipality of Arambagh and Dr. Sur had already submitted his report, which disclosed a deplorable state of things. Government has formed a rural public health circle round about Arambagh with Arambagh as headquarters of the Sanitary Inspector. We are trying to utilise the services of this Sanitary Inspector for the municipality. If that is not possible, then Government will consider the question of coming forward with financial assistance to the municipality to enable it to have a Sanitary Inspector of its own. But the case is now under consideration and at this stage I am not in a position to accept the resolution of my hon'ble friend, but I can assure him that I shall consider this question with every possible sympathy because I view this resolution not as an isolated one coming from one individual member of this Council but as one expressing the opinion of all representatives hailing from malaria-stricken parts of the province. With these words I would request the mover to withdraw his motion but I would repeat the assurance. Government will show every possible consideration to the municipality of Arambagh, but I cannot at this stage give any guarantee that I shall be able to help the Arambagh Municipality with financial assistance without going into the claims of other municipalities as well.

Rai Bahadur SATISH CHANDRA MUKHERJI: In view of this sympathetic expression of assurance by the Hon'ble Minister I beg leave of the House to withdraw my resolution.

The motion of Rai Bahadur Satish Chandra Mukherji was then, by leave of the Council, withdrawn.

Grant to the District Board of Rangpur to alleviate distress.

Kazi EMDADUL HOQUE: I beg to move that this Council recommends to the Government that Rs. 25,000 be granted to the District Board of Rangpur to carry on its test relief work in areas under acute distress due to the cyclone in May, 1930, flood and consequent failure of crop in last September and general economic crisis.

I have claimed special consideration for the district of Rangpur and my grounds are these. It is true that all the districts of Bengal are suffering more or less on account of financial difficulties or economic crisis at the present moment. But series of calamities which have overtaken the district of Rangpur have necessitated the district board of Rangpur to carry on relief work. The district of Rangpur is very rich due to the fact that its soil is very fertile sometimes yielding three crops, never less than two. Crops are generally jute, paddy, tobacco and *rabi* crops. In the history of Rangpur there is no record of very acute distress necessitating the opening of test work except on one or two occasions, after the great earthquake of 1897. This year, however, has been an exceptionally bad year for this prosperous district. The prosperity of the people here depends on two main crops; jute and tobacco, but the prices of both these have gone down abnormally low and consequently the agriculturists being unable to sell their produce have no cash money to purchase the bare necessities of life. Three other factors, however, have added to the misery of the people:—

(*a*) Cyclone in May, which affected a large portion of the Gaibandha subdivision. All the standing crops and all the houses in the affected area were destroyed and the district board sanctioned a grant of Rs. 1,000 by way of relief.

(*b*) A great earthquake shock in July, 1930, followed by frequent shocks of minor intensity. This earthquake not only damaged the buildings and houses of the people but was responsible for extensive damage to the sources of water-supply such as wells throughout the district, thus adding to the misery of cultivators already hard-hit by general economic distress and suffering from the effects of the cyclone.

(*c*) An abnormal rainfall in the first part of September for a number of days, in consequence of which, the waters of the Teesta, the Dharla and the Brahmaputra swelled up with overflowing redundance and flooded almost the entire area of Fulchari and Shaghatta thanas and the eastern part of Gaibandha thana, in Gaibandha subdivision and the char lands of the Kurigram, Ulipur, Nageswari and Rowmari thanas in Kurigram subdivision, submerging all the crop fields for days together. The crops had been rotten before the flood subsided.

The flood destroyed more than 80 per cent. of the *aman* paddy which was growing in the Fulchari and Shaghatta areas lying to the east of the railway line from Gaibandha to Mohimaganj. The flood has also destroyed 80 per cent. of the *aman* paddy of Chunikandi, 40 per cent. of the Rafaitpur and 20 per cent. of the Boali and Badiakhali of Gaibandha thana. Rowmari and Chilmari thana areas in Kurigram subdivision were similarly affected. To add to the miseries of the situation a peculiar type of black worms, like leeches, appeared in the surviving paddy fields of the Fulchari, Rowmari thana areas. These

worms ate into the vitals of the surviving *aman* crops increasing the volume of devastation by another 10 per cent. These worms began to disappear with the advent of the winter. The flood has very badly destroyed the paddy crops of the already cyclone affected villages of Fulchari and Gaibandha thanas. This is the worst-hit area. The cyclone crisis was fast disappearing, when all of a sudden, the flood came in and made confusion worse confounded. Government advanced seed-loans to the cyclone-affected people, for sowing *aman* paddy in the cyclone-hit fields. The seeds were sown and *aman* paddy was growing up luxuriantly, but as ill-luck would have it, the flood has destroyed the paddy plants, making the people helpless and unable to repay the seed-loans. Oddly enough the abnormal fall of jute market has also added fuel to the fire. The flood has affected so badly four classes of people: (1) Agriculturists proper, (2) *adhiars*, (3) landless day labourers, and (4) village money-lenders and bankers. The agriculturist class has lot their winter paddy (*aman* and *buna* crops). They are more hard-hit on account of the fall of jute price. Those of the cyclone area already lost heir *aus* and jute crops and had their dwelling houses smashed by cyclone. A few agriculturists, here and there, had sown some *garia aus* called *katar* or *katai* which generally grows up and becomes ready for harvesting in Kartic if sown early in Bhadra. But here they had sown the *katar* untimely after the subsiding of the flood. These crops practically served no purpose other than fodder for use of cattle of those few agriculturists. The *adhiar* class is also labouring exactly under the same hardship. They grow crops on others' lands to get half share of the produce. With the failure of the crops the *adhiars* were also turned adrift penniless.

The labour question has assumed drastic proportions. The problem of unemployment of the day labourers calls for immediate solution. Labour goes a-begging. There is no demand for labour, no employment. In previous years labourers were employed by agriculturists, even in the non-harvesting part of the year for raising and repairing their huts, sheds, fencing, etc. They went so far as to help the labourers from their own stock with a hope of getting the services of the labourers whenever required. But the situation has changed this year. No body helps any body. Every one is hard pressed by the stern realities of livelihood. The villagers are also finding it very difficult even to pay up their union rates. Some people are selling their cattle very cheap, in order to purchase necessities of life. The money-lending class and the village bankers, etc., have stopped advancing loans to these distressed people, as they apprehend a crisis of money. What they already advanced with a hope of getting repayment after the sale of jutes and harvesting of *aman* paddy, has little hope of realisation during the period of scarcity. Some of the agriculturists are still going on with the little means they have made by sale of their jutes at the

present reduced rate. Their means will run short within a very short time and then their crisis will take a worse turn. The current season is the sowing time of wheat, mustard, etc. The backbone of the distress may be broken with the harvesting of seasonable crops. Some relief works may be started for employment of the labour class. Immediate steps should be taken to relieve the people of the flood area, with special reference to the already cyclone-affected villages.

The readers of the leading newspapers are aware that some portion of Gaibandha and Kurigram subdivisions in Rangpur district have been very seriously affected by the unusual flood during the last monsoon so much so that its lamentable music has been able to bewitch even the admantine hearts of the bureaucratic Government who have eventually responded to the pitiful woes of the unfortunate people and have agreed cautiously to open a corner of their purse string by a gentle pull. Sir, I visited some of the affected areas in company with the prominent Congress leaders. The distress of the people surely knows no bounds. I saw men and women coming in ragged clothes in the various relief centres organised under the auspices of the Subdivisional Congress Committee for distributing alms on specified days in the week in the hope of obtaining doles from these centres. The haggard look of the victims of starvation, especially of the old, children and the women-folk is at once convincingly awe-inspiring and proves unmistakably that the reports of the calamity appearing from time to time in the newspapers were substantially correct and not a whit exaggerated. I was told that besides the pure Congress relief centres there were other similar centres opened by the efforts of some generous people who do not belong to the camp of the Congress executives. The resources of all these relief organisations are very much limited and they cannot afford to place more for this humanitarian work. The Government also showed their responsibility at last and have been issuing agricultural loans but the loans have come too late and it is also not commensurate to the gravity of the occasion. Besides, it is distributed to those from whom repayment can fairly be expected by reason of their owning sufficient lands ensuring the safety of the money invested. Thus those that are the poorest amongst the sufferers are shut out from the benefits of the loan. Alas! what an irony of fate! the most deserving people are to be shunned according to the standard of benevolence of the British administration in India. I do not know if our benign Government have managed to forget the historical truths that the Mussalman Emperors who have often been pictured in history as tyrants and oppressors used ungrudgingly to open their purse for the succour of the people in distress. Our beloved Government may not believe the tradition of the black niggers and cannot conceive of giving away any big sum in charity but they ought to appreciate the spirit and ought at once to come forward with decent gratuitous loans

to save the poor unfortunate fellows from the grip of starvation. The people in the affected areas need to be taken care of for some time yet. I have also received reports that while disbursing the agricultural loans, the distributing officers have been systematically cutting off a part of their loan to satisfy the union rates due from them and it is being done against their will. This, I think, is not fair and the authorities should stop the recurrence of such insidious method in future.

In bringing forward resolution No. 1, I asked for relief on behalf of the agriculturists, relief that will benefit only the cultivators, but there are people other than cultivators. There is, for instance, the case of *adhiars* who not having land of their own cultivate and till the soils of others in expectation of getting a half share of the produce. So these people would not be admitted to the privilege of this resolution—resolution No. 1. There are also the labourers—landless labourers, whose condition is really very deplorable and it will be more deplorable if Government do not see their way to grant this sum of Rs. 25,000 to the district of Rangpur to start relief work. It is only if Government make this grant that the calamity that is apprehended can be averted.

With these words I beg to commend my resolution to the acceptance of the House.

Adjournment.

The Council was then adjourned till 3 p.m., on Thursday, the 30th July, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Thursday, the 30th July, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 96 nominated and elected members.

Starred Questions

(to which oral answers were given).

Registration office at Barangail in Dacca.

*81. **Maulvi ABDUL GHANI CHOWDHURY:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware that the present Registration office at Barangail in the district of Dacca is situated at a place inconvenient to the public?

(*b*) Is it a fact that the public are agitating for the removal of the office from Barangail to its original site at Ghior on the ground that the Barangail office is in the extreme corner, whereas the Ghior office was centrally situated?

(*c*) Is it a fact that the people of Ghior are ready to place a building at the disposal of the Government for the Registration office?

(*d*) If the answers to (*a*), (*b*) and (*c*) are in the affirmative, will the Hon'ble Minister be pleased to state whether the Government contemplate retransferring the office to the original site at Ghior?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) No.

(*b*) Government have no information beyond the receipt of three petitions dated 27th June, 1928, 2nd July, 1928 and 27th April, 1931, by the Inspector-General of Registration.

(*c*) Offers of accommodation were made in the petitions mentioned in the answer (*b*) above.

(*d*) No.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to tell us what has been the fate of these petitions?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I would refer the member to my answer in (*d*).

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state why Government does not consider the removal of the office necessary, although it is causing difficulty to the public?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Government is not yet convinced that it is causing difficulty to the public.

Settlement rent-roll.

*82. **Maulvi SYED OSMAN HAIDER CHAUDHURI:** Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) in how many appeals against orders on objections under section 104E of the Bengal Tenancy Act the Director of Land Records, Mr. Fawcus, declared the lower court judgments *ultra-vires* on the investigation of questions of title and possession;

(*ii*) whether the Government have considered the effect of those judgments wherein similar questions were decided but not declared *ultra-vires* by other Directors of Land Records at Chittagong during the last three years?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*i*) One only.

(*ii*) No.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to tell us the position of the respondent in these cases?

The Hon'ble Sir PROVASH CHUNDER MITTER: I want notice.

Managers of Court of Wards' estates.

*83. **Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether the Government have received a copy of proceedings of the second session of the All-Bengal Court of Wards Employees' Conference held at Barisal in February, 1930, under the presidentship of Mr. J. T. Donovan, I.C.S., Collector of Bakarganj?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether it is a fact—

(*i*) that outsiders and old Government servants are employed on higher pay without having regard to the claims to promotion of Managers already in service under the Court of Wards;

(*ii*) that no gradation list of Managers is maintained in the central controlling office and no system of gradual promotion is followed when a vacancy occurs either by reason of a new estate being taken charge of or by death, dismissal or promotion of a Manager; and

(*iii*) that retired Government servants of over 55 years of age are employed as Managers under the Court of Wards and that there is no rule for compulsory retirement at a given age-limit applicable to these Managers?

(*c*) If the answer to (*b*) is in the affirmative, will the Government be pleased to state—

(*i*) whether the Government propose to issue strict orders stopping the system of putting new recruits in posts other than those carrying the lowest salary in the link of promotion;

(*ii*) whether the Government propose to make rules for giving promotion to them first, by having a gradation list compiled and maintained of all Managers in the Board's office; and

(*iii*) whether the Government propose to frame rules for compulsory retirement of old Managers strictly on the same lines as those obtaining in other Government services?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Yes.

(*b*) (*i*) Outsiders or retired Government servants are appointed as Managers if it is considered desirable in the interests of the estates.

(*ii*) and (*iii*) Yes.

(*c*) (*i*), (*ii*) and (*iii*) No.

Appointment of Sub-Registrars from the residents of Dacca.

*84. **Rai Sahib AKSHOY KUMAR SEN:** Will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to lay on the table a statement showing for the years 1929 and 1930—

(*i*) how many Sub-Registrars were appointed from the residents of the Dacca Division;

(*ii*) how many of them are Muhammadans; and

(*iii*) how many of them belong to the Namasudra community?

MINISTER in charge of EDUCATION (REGISTRATION) DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): A statement is laid on the table.

Statement referred to in the reply to starred question No. 84.

			1929.	1930.
(*i*)	...	...	11	2
(*ii*)	...	...	6	1
(*iii*)	...	...	Nil	1

Free primary schools under Mr. Biss' scheme.

*85. **Babu PROFULLA KUMAR GUHA:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) how many free primary schools have been opened under Mr. Biss' scheme by different municipalities in the Presidency and Burdwan Divisions;

(*ii*) what are the names of those municipalities which have already started such schools;

(*iii*) whether there is any other municipality which has taken up such schemes in its area; and

(*iv*) what amounts have been granted by the Government to municipalities which have already opened such schools?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*), (*ii*) and (*iv*) A statement is laid on the table.

(*iii*) The Howrah Municipality in the Burdwan Division has started three more schools; but the scheme is now under the consideration of Government.

Statement referred to in the reply to clauses (i), (ii) and (iv) of starred question No. 85.

PRESIDENCY DIVISION.

	Names of Municipalities.	Number of free primary schools opened under Mr. Biss' scheme.	Amounts granted by Government to Municipalities.	
			Capital.	*Recurring.*
			Rs.	Rs.
1.	Cossipore-Chitpur Municipality (now included in Calcutta) ..	1 1	20,000	600
2.	South Suburban Municipality ..	3	3,475	2,080
3.	Budge-Budge Municipality ..	5	....	5,340 (both for capital and recurring expenditure).
4.	South Dum-Dum Municipality ..	3	75	1,110
5.	Naihati Municipality	2	300	1,530
6.	Basirhat Municipality ..	1	2,020	300
	Total ..	16	25,870	10,960

BURDWAN DIVISION.

	Names of Municipalities.	Number of free primary schools opened under Mr. Biss' scheme.	Amounts granted by Government to Municipalities.	
			Capital.	*Recurring.*
			Rs.	Rs.
1.	Burdwan Municipality	4	976	3,162
2.	Serampore Municipality ..	2	600	1,770
3.	Howrah Municipality	12	11,925	12,311
4.	Kalna Municipality	1	....	780
5.	Asansol Municipality	4	19,162	4,068
6.	Suri Municipality	1	50	235
7.	Hooghly-Chinsurah Municipality ..	1	75	720
8.	Baidyabati Municipality ..	1	1,575	600
9.	Bhadreswar Municipality ..	2	150	1,320
10.	Champdany Municipality ..	2	75	1,398
	Total ..	30	34,588	26,364
	Grand Total ..		60,458	37,324

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state how many schools under Mr. Biss' scheme have been opened by the different municipalities in the Dacca and Chittagong Divisions?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Calcutta Madrasah.

*88. **Maulvi SYED MAJID BAKSH:** Will the Hon'ble Minister in charge of the Education Department be pleased to state the following particulars of both teaching and clerical staff of the Calcutta Madrasah both—

(*a*) Arabic and Persian, and

(*b*) Anglo-Persian

Departments including the Principal of the institution on the 31st March, 1931—

(*1*) Name in full,

(*2*) Designation,

(*3*) Name of the Department or Section,

(*4*) Academic qualifications in details,

(*5*) Present pay, scale of pay, fixed pay, allowance or honorarium (monthly amount),

(*6*) Pay at the time of the first appointment to Government service,

(*7*) Date of birth,

(*8*) Date of first appointment to the Government service,

(*9*) Whether he has got workable knowledge in Bengali,

(*10*) Home district and detailed permanent address, and

(*11*) Relationship with the members of the staff of the same institution, if any?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The information asked for relates to numerous details regarding 54 officers, and its presentation will involve an amount of labour which Government regret they are unable to undertake.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state if he is acquainted with the Principal?

(No answer.)

Maulvi SYED MAJID BAKSH: How many questions are disallowed, Sir? Some sort of answer can be compelled to be given under the rules. "Shall" in the third person means compulsion.

Mr. PRESIDENT: I do not think there can be any compulsion.

Kamarunnessa Girls' School.

*87. **Rai Bahadur KESHAB CHANDRA BANERJI:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state the amount of Government grant that the Kamarunnessa Girls' School has been enjoying since its inception?

(*b*) Is it a fact that the said grant was withheld last year?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the reasons for suspending payment of the said grant;

(*ii*) for how many months was the payment of the grant withheld;

(*iii*) whether it is a fact that the grant was restored after some time?

(*d*) If the answer to (*c*) (*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what circumstances led to the suspension and restoration of the said grant; and

(*ii*) whether the restoration of the grant was conditional upon the removal of the present Lady Principal of the school from service?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) From 1st March, 1925 to 1st March, 1926 the grant was Rs. 250 and from the latter date Rs. 500 per month.

(*b*) Yes.

(*c*) (*i*) Government were not satisfied that the school was efficiently conducted or that the authorities of the school took proper steps to deal with participation in undesirable political activities on the part of the staff.

(*ii*) From 1st March, 1930 to 20th March, 1931.

(*iii*) Yes.

(d) (i) The grant was suspended for reasons given in the reply to (c) (i) above. It was restored on receipt of information which satisfied Government that the school authorities would in future take proper steps to deal with irregularities on the part of the staff.

(ii) No: on receipt of the above information Government decided to restore the grant.

Rai Bahadur KESHAB CHANDRA BANERJI: Is it a fact that the grant was withheld because the Principal took part in political activities?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I would refer the questioner to my answer to (d) (ii).

Rai Bahadur KESHAB CHANDRA BANERJI: Is it a fact that not the Principal but some other teachers of the school took part in political activities?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I would refer the member to my answer to (c) (i).

Rai Bahadur KESHAB CHANDRA BANERJI: Is it a fact that Government asked the members of the Governing Body to dispense with the services of the Lady Principal?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state the difference between desirable and undesirable political activities?

(No answer.)

Babu JITENDRALAL BANNERJEE: Was the charge of participation in undesirable political activities against the Lady Principal too?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I would refer the member to my answer to (c) (i).

Babu JITENDRALAL BANNERJEE: On a point of order, Sir. That answer does not give the specific information I require; hence my supplementary question.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Government consider that the Lady Principal was responsible for the staff and the students.

Babu JITENDRALAL BANNERJEE: Was the charge of participating in undesirable activities against the Lady Principal also?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have nothing further to add to what I have said.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister be pleased to inform this House of the charge against the Lady Principal?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have already said that Government considered the Principal to be responsible for the activities of the staff and the students.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to state if it is the policy of Government to hold every Principal responsible for the action of every student and teacher of the staff?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: We consider the Principal to be responsible if he takes no step in the matter.

Rai Bahadur KESHAB CHANDRA BANERJI: Is it a fact that the Chairman of the Board of Secondary Education, Dacca, asked the President and Secretary of the Governing Body of the School Committee to give an undertaking that they would not allow the Lady Principal to continue in service?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have no information.

Punitive police forces stationed in 52 villages of Chittagong.

***88. Rai Bahadur KAMINI KUMAR DAS:** (*a*) Is the Hon'ble Member in charge of the Police Department aware that the punitive police forces have been stationed in the 52 villages of Chittagong and the costs of these forces will be levied from the Hindu population alone?

(*b*) Will the Hon'ble Member be pleased to state whether these villages have been found to make any organised effort to obstruct Government in the discharge of public duties, to bring them under the Police Act for deputing police forces in these villages?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) *Additional* police have been appointed in 52 villages in Chittagong. No proposals have yet reached Government as to the distribution of the cost.

(b) The reasons for appointing the additional force have been stated in the Proclamation No. 14-Pl.D., dated 29th April, 1931, under section 15 of the Police Act.

Damage of jute crop in Mymensingh and granting of agricultural loans and other relief measures.

*89. **Maulvi ABDUL HAKIM:** (a) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether the Government are aware that the jute crop has been largely damaged in the Sadar and Netrokona subdivisions of the Mymensingh district?

(b) If the answer to (a) is in the affirmative, are the Government contemplating granting further agricultural loans or other kinds of relief for the current financial year in these jute-damaged areas where the economic distress is still more acute?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) Government are aware that water-logging has caused some damage to the jute crop in Mymensingh district, but the extent of the damage in the Sadar and Netrokona subdivisions is not known.

(b) A sum of Rs. 50,000 has been allotted to Mymensingh district for agricultural loans during the present financial year. This includes Rs. 20,000 allotted in July. Further amounts for agricultural loans or other kinds of relief will be granted if necessary.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Member be pleased to tell us whether any inquiry has been held to ascertain the extent of damage?

The Hon'ble Sir PROVASH CHUNDER MITTER: An inquiry is being made.

Divisional Auditor for co-operative societies, Rajshahi Division.

*90. **Maulvi SYED JALALUDDIN HASHEMY:** (a) Will the Hon'ble Minister in charge of Agriculture and Industries Department be pleased to state—

(i) who is the Divisional Auditor of Rajshahi Division for co-operative societies;

(ii) when did he join his present office;

(iii) how many times the order of his transfer has been passed;

(*iv*) were these orders of transfer given effect to; if not, why not;

(*v*) was the fundamental rule applicable in this case observed in the matter of the transfer of the said officer? If not, why not?

(*b*) Will the Hon'ble Minister be pleased to state whether the department intends to keep him there?

(*c*) If the answer to clause (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for the same?

MINISTER in charge of AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Khan Bahadur K. G. M. Faroqui): (*a*) (*i*) Babu Suresh Chandra Sen.

(*ii*) 7th October, 1926.

(*iii*) Once.

(*iv*) No; in the interest of the public service.

(*v*) There are no provisions in the fundamental rules applicable to this subject.

(*b*) There is no intention at present to transfer him.

(*c*) The transfer of these officers is made by the head of the department as he thinks best in the interest of the public service.

Civil disobedience movement prisoners.

***91. Maulvi SYED JALALUDDIN HASHEMY:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing the figures separately for each district—

(*i*) the number of prisoners yet detained in jails of different districts of Bengal, who were convicted during the last civil disobedience movement; and

(*ii*) a detailed description of the nature of offences in each case which does not cover sections 12 and 13 of the Gandhi-Irwin agreement as published in the *Calcutta Gazette* of the 12th March, 1931?

(*b*) Will the Hon'ble Member be pleased to state whether he has received any representation recommending or praying for their release in accordance with the said agreement?

(*c*) Are the Government considering the desirability of releasing them?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) (*i*) A statement is laid on the table.

(*ii*) All these persons were convicted of offences which involved violence, other than technical violence, or incitement to violence.

(*b*) Yes, for some.

(*c*) Each case has been, or is being, considered individually on its merits.

Statement referred to in the reply to clause (a) (i) of starred question No. 91.

NUMBER OF PRISONERS STILL IN JAIL.

District in which convicted.	Number of persons convicted.
Midnapore	... 38
Rajshahi	... 4
24-Parganas	... 2
Nadia	... 1
Khulna	... 2
Total	... 47

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state the reason for the delay in considering these cases?

The Hon'ble Mr. W. D. R. PRENTICE: I do not think there has been any delay.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state whether he is considering the case of Janaki Nath Neogy of Khulna?

The Hon'ble Mr. W. D. R. PRENTICE: So far as I know it has already been considered and we refused to release him.

Barisal Central Bank.

*92. **Maulvi MUHAMMAD HOSSAIN:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether the audit report for the last three years as submitted by the auditors either in English or in Bengali was published and circulated among the members of the Co-operative Banks generally of the Dacca Division and that at Barisal in particular?

(*b*) If the reply to clause (*a*) is in the negative, in the case of Barisal Central Co-operative Bank, Ltd., will the Hon'ble Minister be pleased to state—

(*i*) the reasons for such default; and

(*ii*) the action proposed to be taken by Government thereon?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: (*a*), (*b*) (*i*) and (*ii*) There is no rule requiring that the audit report should be published and circulated among the members. All that Government rule 12 requires is that the balance sheet of each registered society shall be read before the general meeting of a society once a year. This rule has been followed by the Central Banks in the Dacca Division including that at Barisal.

Furthermore, the Barisal Central Bank published in the printed annual report for 1929-30 a substance of the defects pointed out by the auditor, with the explanation of the Central Bank on each item.

No action is therefore called for.

Central Bank Account Manual.

*93. **Babu SUK LAL NAG:** Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*i*) when, where, by whose authority, and how many copies of, the "Central Bank Account Manual" issued from the office of the Registrar, Co-operative Societies, Bengal, were printed;

(*ii*) how many editions of the book were printed;

(*iii*) whether this book is sold or available to the share-holders of the Central Co-operative Banks; and

(*iv*) if so, where it is sold or available, and the price for sale?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: (*i*) 250 copies of the Central Bank Account Manual were printed at the Bengal Government Press under the orders of the Registrar of Co-operative Societies, Bengal, in 1914.

(*ii*) One.

(*iii*) It was not a priced publication but distributed gratis to departmental officers and Central Banks.

(*iv*) It is out of stock now but is under revision with a view to republication.

Lease of mooring right of Govindapur Ghat at Faridpur.

***84. Rai Sahib AKSHOY KUMAR SEN:** (*a*) Will the Hon'ble Member in charge of the Public Works (Railways) Department be pleased to state whether the Secretary of the Faridpur Merchants' Association complained to the Agent, Chief Engineer and Executive Engineer of the Eastern Bengal Railway, against the lease of the mooring right of Govindapur Ghat at Faridpur for realising heavy excess fees from merchants, boatmen and others in violation of the terms of settlement?

(*b*) If the answer to (*a*) is in the affirmative, was any local inquiry made into the matter of complaint by the Railway Department as prayed for by the said Secretary?

(*c*) If no inquiry was made as yet, are the Government considering the desirability of making a speedy inquiry into the matter with a notice to the Secretary, Merchants' Association, giving him fair time to prove his case?

MEMBER in charge of PUBLIC WORKS (RAILWAYS) DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) Yes.

(*b*) As the Association made no specific complaints on which an inquiry could be based, no inquiry was held by the Railway authorities.

(*c*) In the circumstances, Government do not consider it necessary to institute an inquiry into the matter.

Revenue-free estates and rent-free holdings in districts where settlement operations are over.

***95. Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur:** Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a statement showing the number of (*i*) revenue-free holdings, and (*ii*) rent-free holdings, and *without taidads*, in each of the districts where the settlement operations are over?

The Hon'ble Sir PROVASH CHUNDER MITTER: A statement is laid on the table. Statistics of the number of rent-free holdings in Jalpaiguri are not available. Separate figures for the number of rent-free holdings without taidads are not available.

Statement referred to in the reply to starred question No. 95, showing the number of revenue-free estates and rent-free holdings in districts where settlement operations are over.

			No. of revenue-free estates.	No. of rent-free holdings.
Bankura	..	..	406	86,382
Midnapore	..	..	2,203	8,893
Nadia	..	..	472	51,076
Jessore	..	..	214	62,391
Khulna	..	..	53	34,831
Dacca	..	..	1,903	47,135
Mymensingh	..	..	1,697	53,022
Faridpur	..	..	117	28,783
Bakarganj	..	..	49	32,397
Tippera	..	..	265	15,436
Noakhali	..	..	102	2,464
Rajshahi	..	..	108	23,902
Jalpaiguri	..	..	291	..
Bográ	..	..	40	12,526
Pabna	..	..	45	16,988

Travelling and halting allowances.

***96. Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state whether, since the framing of the current budget, any reduction has been effected—

(*i*) in the rate of travelling allowances of Government officers; and

(*ii*) in the rate of travelling allowances of the members of the Council?

(b) If the answer to (a) is in the affirmative, what is the extent of such reduction in cases (a) (i) and (ii) respectively?

(c) What is the total percentage of reduction in the travelling allowances of Government officers of all grades so far proposed and effected?

(d) Has any reduction been effected in the daily and halting allowances of Government officers of all grades?

(e) If so, what is the extent thereof?

(f) Is the Hon'ble Member aware of any reduction in the travelling and halting allowances of officials effected by other Provincial Governments in India? If so, to what extent?

(g) Do the Government propose to appoint any committee for the retrenchment of the Provincial budget as have been done by other Provincial Governments?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. A. Marr): (a) (i) and (ii) Yes.

(b) The information will be found in Government Resolutions Nos. 1183 F., and 155 T.F., dated the 13th March, 1931, and 1st May, 1931, respectively, copies of which are laid on the table.

(c) A saving of about 3 per cent. is anticipated.

(d) No.

(e) Does not arise.

(f) Reductions in travelling allowance rates have been made by the Punjab, Bombay and U. P. Governments. Copies of papers showing the extent of the reduction are laid on the library table. It is understood that the Punjab Government have since made further reductions, but Government are not in possession of the details.

(g) The subject is being considered by Government.

Resolutions referred to in the reply to clause (b) of starred question No. 96.

I

GOVERNMENT OF BENGAL.

Finance Department.

Audit.

RESOLUTION—No. 1183F.

CALCUTTA, THE 13TH MARCH, 1931.

Subject.—Reduction of Travelling Allowance Rates.

In view of the present financial position, the Governor in Council and acting with his Ministers has decided to reduce the rates of

travelling allowance prevailing in this Presidency and to amend in the following manner Subsidiary Rule 42 framed by the Government of Bengal under Fundamental Rule 44. The amended rule will come into force with effect from the 1st April, 1931:—

For Subsidiary Rule 42 *substitute* the following:—

"The mileage allowance admissible to a Government servant of the 1st, 2nd or 3rd grade is one and three-fifths fares of the class in which he is entitled to accommodation, except in the case of—

(1) journeys on transfer when double fare will be allowed.

(2) journeys under 75 miles and an absence from headquarters of more than 24 hours, both conditions to be fulfilled, and

(3) journeys of Government servants required to accompany the Government of Bengal to Darjeeling which are governed by the Darjeeling Allowance Code,

in which cases one and three-quarter fares will be allowed.

The mileage allowance admissible to a Government servant of the 4th grade is the fare of the lowest class."

Ordered that the resolution be published in the *Calcutta Gazette*.

By order of the Governor in Council.

E. N. BLANDY,

Secretary to the Government of Bengal.

Nos. 1184—1294F.

Copy forwarded to all Commissioners of Divisions and District Officers; the First Judge of the Small Cause Court, Calcutta; District Judges; Director of Public Health, Bengal; Surgeon-General with the Government of Bengal; Inspector-General of Police, Bengal; Inspector-General of Prisons, Bengal; Inspector-General of Registration, Bengal; Director of Public Instruction, Bengal; Director of Land Records and Surveys, Bengal; Director of Agriculture, Bengal; Director of Industries; Bengal; Electrical Adviser and Chief Electric Inspector, Bengal; Conservators of Forests, Bengal; Commissioner of Police, Calcutta; Chief Presidency Magistrate, Calcutta; Municipal Magistrate, Calcutta; Coroner of Calcutta; Chief Inspector of Factories, Bengal; Chief Inspector and Secretary to the Boiler Commission, Bengal; Superintendent, Government Printing, Bengal; Chief Engineer, Public Health Department, Bengal; Commissioner for Workmen's Compensation; Superintendent of the Royal Botanic Garden, Calcutta; Superintendent and Remembrancer of Legal Affairs, Bengal; Registrar, Co-operative Societies, Bengal; Administrator-General and Official Trustee, Bengal; Secretary to the Board

of Revenue, Bengal; Chief Inspector and Secretary to the Smoke Nuisances Commission, Bengal; Labour Intelligence Officer; Commissioner of Excise and Salt, Bengal; Superintending Engineers; Military and Private Secretaries to His Excellency the Governor of Bengal; Accountant-General, Bengal; Registrar, Joint Stock Companies, Bengal; Protector of Emigrants, Calcutta; Ven'ble the Archdeacon of Calcutta; Presidency Senior Chaplain, Church of Scotland, Calcutta; and to all departments of this Government, including the Accounts Department, for information.

By order of the Governor in Council,

S. K. HALDAR,

Deputy Secretary to the Government of Bengal.

Calcutta, the 13th March, 1931.

II

GOVERNMENT OF BENGAL.

Finance Department.

Audit.

RESOLUTION—No. 155T.F.

DARJEELING, THE 1ST MAY, 1931.

Reduction of travelling allowance rates of the Members of the Legislative Council.

In view of the present financial position, the Governor in Council and the Governor acting with his Ministers has decided to reduce the rates of travelling allowance prevailing in this Presidency and to amend in the following manner Subsidiary Rule 99 framed by the Government of Bengal under Fundamental Rule 44. The amended rule will come into force with effect from 1st April, 1931.

For rule (*2*) (*a*) (*ii*) under Subsidiary Rule 99 *substitute* the following:—

(*ii*) Mileage allowance for journeys by railway or by sea or river in a steamer.—The rate admissible is one and three-fifths fares of the class by which the member actually travels except in the case of journeys under 75 miles and an absence from home of more than 24 hours, both conditions to be fulfilled, when one and three-quarter fares will be allowed.

Ordered that the resolution be published in the *Calcutta Gazette*.

By order of the Governor in Council,

E. N. BLANDY,

Secretary to the Government of Bengal.

Nos. 156-74T.F.

Copy forwarded to the several departments and the Accountant-General, Bengal, for information.

By order of the Governor in Council,

S. K. HALDAR,

Deputy Secretary to the Government of Bengal.

Darjeeling, the 1st May, 1931.

3-15 p.m.

Mr. NARENDRA KUMAR BASU: In reply to answer (*g*) will the Hon'ble Member be pleased to state when he expects to inform the House as to the outcome of this consideration?

The Hon'ble Mr. A. MARR: This forms the subject of a resolution which will come before this House for discussion this session.

Unstarred Questions

(answers to which were laid on the table).

Inconvenience of backward class constables to use cook-shed along with other Hindu constables at Tamizuddi police-station in Bakarganj.

68. **Mr. SARAT CHANDRA BAL:** (*a*) Is the Hon'ble Member in charge of the Police Department aware that many young men belonging to the backward classes have joined the Special Armed Force and Bengal Police (Unarmed) Branches?

(*b*) Is it a fact that in some places the orthodox Hindus do not allow the young men belonging to the backward classes and serving in the Police Department to enter into the cook-shed constructed for the Hindus, specially at Tamizuddi police-station in Bakarganj?

(*c*) If the answer to clause (*b*) is in the affirmative, are the Government considering the desirability of taking any steps in this matter?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) Yes.

(*b*) Yes. At Tamizuddi police-station, Bakarganj district, the Hindu constables objected to a constable of the backward classes using their cook-shed.

(*c*) No. The local officers may be relied on to take such action as is necessary. Separate cook-sheds have already been provided for the backward classes in certain districts.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state whether any provision has been made in particular police-station?

The Hon'ble Mr. W. D. R. PRENTICE: Not so far as I am aware.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state whether any provision will be made at all?

The Hon'ble Mr. W. D. R. PRENTICE: This is not a matter for Government, but one for the local officers to decide.

Rates for supply of electricity at Dacca.

69. Rai Bahadur KESHAB CHANDRA BANERJI: (*a*) Is the Hon'ble Member in charge of the Commerce Department aware that the rates for the supply of electricity at Dacca are much higher than those at Calcutta, Chittagong, and other places?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) what are the rates paid by the public, the Government and the municipality in those places, and

(*ii*) what is the total length of mains laid both at Dacca and Chittagong and the total units of current generated and consumed in each of those places every year?

MEMBER in charge of COMMERCE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) It is not possible to give full comparative rates unless all the conditions under which the various consumers are supplied are known, and Government do not possess full information regarding these conditions. For lights and fans the net rates for electricity at Dacca are higher than those in Calcutta but lower than those at Barrackpore, Chittagong and some other areas, but for further details the member is referred to a statement which has been placed on the library table.

(*b*) The answer is not in the affirmative, but the following information is supplied for the information of the member:

(*i*) Particulars of the rates referred to are not available; such rates as are available are shown in the statement mentioned above.

(*ii*) Government have no information regarding the total length of mains laid at Dacca and Chittagong. The total units of current generated and consumed at Dacca for the year ending 31st December, 1929, were:—

Generated—1,420,130.

Consumed—1,128,428.

The licensee at Chittagong does not generate current. Current is purchased in bulk from the Assam-Bengal Railway and the figures for the year ending 31st December, 1930, are as follows:—

Bought in bulk—368,066.

Consumed—316,947.

The Dacca figures for the year ending 31st December, 1930, are not available.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether it is a fact that the Dacca Electric Supply Company, Ltd., transfer a considerable portion of their profit to reserve funds and distribute it among the shareholders in the shape of fresh shares instead of declaring high dividends with the result that the consumers are denied the benefit of the company's profit?

The Hon'ble Mr. A. MARR: I have no information.

Defaulting estates in March and June Kists, 1931.

70. Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member in charge of the Revenue Department be pleased to state the number of cases in which the proprietors failed to pay the Government revenue on the due date in March and June, 1931?

The Hon'ble Sir PROVASH CHUNDER MITTER: In the March kist of 1931 4,837 estates defaulted. The figures for the June kist are not yet available.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether Government propose to help the defaulters in any way?

The Hon'ble Sir PROVASH CHUNDER MITTER: The number of defaults in 1929 was 2,590, but the estates actually sold were 285. The defaults in 1931 were 4,837, but the estates actually sold were 304. So the difference in actual sales was only 19. Government are carefully watching the position.

Process-servers of Kurigram criminal courts.

71. Babu HARIBANSA ROY: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether the process-servers of Kurigram criminal courts are given the duty of watching, day and night, the residences of judicial and executive officers?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether watching the residences of officers is one of the legitimate duties of the process-servers in criminal courts?

(*c*) Is it a fact that this practice has been strictly prohibited by the Judicial Department letter No. 71-93-I/D., dated the 27th May, 1931?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state the reason why, in spite of the Department letter referred to, this practice is allowed to go on in the Kurigram courts?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) No.

(*b*) Does not arise.

(*c*) The practice of requiring process-servers to perform household or other personal work for superior officers, gazetted or ministerial, is forbidden by the order referred to.

(*d*) Does not arise in view of the reply to (*a*).

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that this rule is generally disregarded?

The Hon'ble Sir PROVASH CHUNDER MITTER: No.

Deputy Superintendent of the Borstal School.

72. **Maulvi ABDUS SAMAD:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state on what principle has the recent vacancy in the post of the Deputy Superintendent of the Borstal School been filled up?

(*b*) Is it a fact that there is a Selection Committee consisting of the Inspector-General and Deputy Inspector-General of Prisons and that whenever a vacancy occurs the said Committee is asked to nominate a few deserving candidates, from among whom, under the rules, the selection has to be made?

(*c*) Is it not a fact that, in pursuance of this rule or long-standing practice, the Committee was asked to nominate and it did actually nominate, after proper interview, six candidates for selection, but that none of these nominees has been appointed to the post?

(*d*) Will the Hon'ble Member be pleased to state the special reasons which led the Government to deviate from the rules and to appoint a person not nominated by the Selection Committee?

(*e*) Has the new incumbent been medically examined and found fit? If not, why not?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) The candidate who was considered most suitable for the post was appointed by the Inspector-General of Prisons.

(*b*) No. There is no prescribed procedure for the filling of such vacancies.

(*c*) No. As has already been stated, the Inspector-General of Prisons selected the candidate who in his opinion was most suitable for the post. Several candidates were interviewed.

(*d*) Does not arise.

(*e*) Yes.

Maulvi ABDUS SAMAD: Will the Hon'ble Member be pleased to state how many candidates were selected?

The Hon'ble Sir PROVASH CHUNDER MITTER: So far as I remember the number of candidates selected after interview was six.

Maulvi ABDUS SAMAD: Was this candidate one of these six candidates?

The Hon'ble Sir PROVASH CHUNDER MITTER: No, he was not.

Amount spent for works of public utility within municipal areas of the 24-Parganas district.

73. Maulvi MUHAMMAD SAADATULLAH: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a statement showing for the years 1928, 1929, 1930, 1931—

(*i*) the amount that was placed in the hands of the District Magistrate of the 24-Parganas as "District Fund" for contribution to works of public utility in the district; and

(*ii*) the amount that was spent for work within municipal areas and the nature of work that received contribution?

(*b*) Is it a fact that no attention is paid to works of public utility within municipal areas in distributing the amount?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) (*i*) and (*ii*) A statement is laid on the table showing figures for 1928-1929, 1929-1930 and 1930-1931.

(*b*) No.

Statement referred to in the reply to clause (a) of unstarred question No. 73.

	Amount placed in the hands of the District Magistrate of the 24-Parganas for contribution to works of public utility.	Amount spent within municipal areas.	Objects.
	Rs.	Rs.	
1928-29 ..	3,000	925	Conservancy, sanitation, water-supply, assistance to such institutions as schools, libraries, dispensaries, etc.
1929-30 ..	3,000	1,225	
1930-31 ..	3,000	950	

Revision of assessments of Sunderbans lots in 24-Parganas.

74. Babu GOKUL CHAND BURAL: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether there has been a resolution of the Government revising the assessments fixed by the Settlement Officer of the 24-Parganas, of Sundarbans lots, leased out for 40 years under the Large Capitalist Rules?

(*b*) Was the revision intended to grant relief to the lessees who have to maintain embankments at a great cost?

(*c*) Is it a fact that special cases have been made and special reductions given to individuals?

(*d*) If the answer to clause (*c*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons for the special favour shown to individuals?

(*e*) Have the Government ascertained whether there exist more deserving cases than the ones in which special reduction has been given?

(*f*) Are the Government considering the desirability of ordering the grant of special reductions in all cases?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Yes.

(*b*) Among other concessions an allowance varying from 5 to 15 per cent. of the assets according to circumstances has been granted on account of the cost of maintaining embankments.

(*c*) Yes.

(*d*) Special reductions were given on the ground of hardship.

(*e*) Government examined all the cases which were brought to their notice and did not find any more deserving cases.

(*f*) No.

Question of constituting Union Court and Bench in Union No. 13 under police-station Chandina.

75. Maulvi SYED OSMAN HAIDER CHAUDHURI: (*a*) Is the Hon'ble Member in charge of the Judicial Department aware that the people of police-stations Laksham and Chandina are in a deplorable condition for want of food and clothing?

(*b*) Is the Hon'ble Member also aware—

(*i*) that some unions of Laksham and Chandina have no benches and courts at all; and

(*ii*) some unions have been deprived of benches and courts recently?

(c) Is the Hon'ble Member also aware that the presidents of those unions having no benches and courts, give false hopes to the poor people that they would submit petitions to Government for pecuniary help, take the signatures and thumb impressions of those people on blank paper and write down the petition for benches and courts on the same paper and submit the petitions to the Government?

(d) Are the Government considering the desirability of making a local inquiry before sanctioning benches and courts to that locality specially at the union No. 13 under police-station Chandina where there is a strong party feeling?

The Hon'ble Mr. W. D. R. PRENTICE: (a) There is acute distress in some areas, but the situation is easier now from the harvesting of the *aus* paddy crop.

(b) (i) and (ii) Yes.

(c) Government have no such information.

(d) Local enquiries are always made before benches and courts are sanctioned.

Co-operative Central Banks.

76. Maulvi MUHAMMAD HOSSAIN: (a) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether any circular has been issued by the Registrar of the Co-operative Societies, Bengal, to the effect that the Co-operative Central Banks of mixed type be henceforth converted into pure type ones?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state the number and the date of such circular and also the date of its issue to all the Co-operative Central Banks in Bengal?

The Hon'ble Khan Bahadur K. C. M. FAROQUI: (a) No.

(b) The question does not arise.

Grant to certain institutions out of the allotment of the Industries Department.

77. Rai Bahadur SATISH CHANDRA MUKHERJI: (a) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether it is a fact that the Agriculture and Industries Department makes an annual grant of Rs. 26,253 to ten charitable institutions out of the allotment of the Industries Department?

(*b*) What are the reasons for not making these grants from the allotment of the Education Department?

(*c*) Are the Government considering the desirability of setting right this anomaly and putting these institutions in possession of more funds?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: (*a*) An annual grant of Rs. 26,000 approximately is given to ten institutions such as the Calcutta Blind School, the Calcutta Deaf and Dumb School, etc., not merely for charitable purposes but for the industrial training given by them.

(*b*) The instruction given in these schools lays special emphasis on lessons in technical or industrial subjects and practical craftmanship, so that the ex-students may earn their own livelihood after leaving the institutions. Hence they are aided by the Department of Industries and not by the Education Department.

(*c*) Government are not aware of any anomaly in this matter. With regard to the provision of more funds for such institutions, each case is annually considered on its merits and with due regard to the financial position of Government.

Water-hyacinth in Khulna.

78. Babu SUK LAL NAG: (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether it has been brought to the notice of the Government that the water-hyacinth which is causing havoc in the Khulna district finds its way from the several *bhils* within the jurisdiction of the Faridpur district?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of undertaking legislation to penalise persons responsible for this pest coming into the rivers?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: (*a*) Yes. Water-hyacinth finds its way into Khulna district from *bhils* both in Faridpur and in Jessore districts.

(*b*) The member is referred to the reply to the starred question No. 146, asked by Rai Sahib Akshoy Kumar Sen at the meeting of the Bengal Legislative Council held on the 16th March, 1931.

Post of Deputy Superintendent, Borstal School, Bankura.

79. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether it is a fact that six gentlemen were selected for the post of Deputy Superintendent, Borstal School, Bankura, by the Selection

Board and were interviewed by the Inspector-General and Deputy Inspector-General of Prisons, Bengal, but one gentleman who was neither selected by the Board nor called for interview has been appointed?

(*b*) Will the Hon'ble Member be pleased to state whether the proper procedure was followed in filling up the vacancy?

(*c*) Will the Hon'ble Member be pleased to state whether the newly appointed officer had been asked to undergo proper medical examination and whether he was found fit?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) No. Appointments to posts of this nature are made departmentally and not on the recommendation of the Selection Board. A number of applicants for the post were selected departmentally for interview and were interviewed by the Inspector-General and Deputy Inspector-General of Prisons. The gentleman who was eventually appointed was a Deputy Jailor and was not called for interview as he was known to the interviewing officers. He was considered more suitable for the post than any of the other candidates.

(*b*) There is no prescribed procedure for the filling of such vacancies. The procedure adopted in this case was approved by Government.

(*c*) Yes.

Equipment fund of the chaukidars and dafadars.

80. Mr. SAILESWAR SINGH ROY: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state—

(*i*) the total amount held by Government in the equipment fund of the chaukidars and dafadars;

(*ii*) the amount which is annually required on an average in supplying new equipments to the chaukidars and dafadars?

(*b*) Is the Hon'ble Member considering the desirability of distributing the accumulated balance in the fund to the union boards to enable them to carry on the improvements of sanitation, education, water-supply and other works of improvements of a like nature?

(*c*) If the answer to clause (*b*) is in the negative, will the Hon'ble Member be pleased to state the object of holding the accumulated balance?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) The total amount held on July 1st, 1931, was Rs. 7,03,488-4.

(*ii*) Rupees 2,83,148-12-7.

(*b*) No. Government have been legally advised that this cannot be done.

(*c*) Government do not approve of such large surpluses being held, and issued in 1927 detailed orders for their reduction. The attention of Commissioners will again be drawn to this matter.

Sanitary Inspectors employed by municipalities of the 24-Parganas district.

81. Maulvi MUHAMMAD SAADATULLAH: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether all the municipalities in the district of the 24-Parganas have got Sanitary Inspectors and contribution by Government towards their pay? If not, why not?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): Seven municipalities in the district of the 24-Parganas are not required to employ Sanitary Inspectors by notification under section 349D of the Bengal Municipal Act as amended by the Sanitary Officers Act (Bengal Act II of 1914); but of these seven one is reported to be employing such an officer. Three of the municipalities employing Sanitary Inspectors received grants towards their pay last year in accordance with the principle laid down in the Resolution No. 2342, dated the 28th October, 1912, that in order to prevent undue hardship Government will be prepared to give some assistance towards the cost of these officers in cases where municipalities are really unable to bear the increased expenditure.

Ministerial officers in the civil courts of the District Judge, 24-Parganas.

82. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'ble Member in charge of Judicial Department be pleased to state—

(*i*) the number of Hindu and Mussalman ministerial officers at present employed in the civil courts under the District Judge of the 24-Parganas;

(*ii*) of these, how many have been appointed during the last five years, giving their names and educational qualifications?

(*b*) Will the Hon'ble Member be pleased to state whether the District Judge of the 24-Parganas is taking any step to increase the proportion of Muhammadan officers?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) (*i*) 194 Hindus and 44 Mussalmans.

(*ii*) A statement is laid on the table.

(*b*) Yes.

Statement referred to in the answer to clause (a) (ii) of unstarred question No. 82.

LIST OF MINISTERIAL OFFICERS APPOINTED IN THE CIVIL COURTS OF THE 24-PARGANAS, DURING THE FIVE YEARS BETWEEN AUGUST, 1926 AND JULY, 1931.

Serial No.	Name.	Educational qualifications.	Date of appointment.
1	Promotha Nath Bose ..	Read up to I.A. ..	1-8-1926.
2	Sailendra Mohan Chakrabarty	Ditto ..	17-11-1926.
3	Mon Mohan Dey ..	Passed Matric. Examination	13-1-1927.
4	Sushil Chandra Mukherjee ..	Read up to I.A. ..	17-1-1927.
5	Abdul Mazid ..	Passed Matric. Examination	16-3-1927.
6	Gurupada Das ..	Ditto ..	23-3-1927.
7	Tarapada Chatterjee ..	Ditto ..	19-4-1927.
8	Munshi Mohammad Habibulla	Ditto ..	25-4-1927.
9	Paramesh Chandra Chatterjee	Ditto ..	25-4-1927.
10	Abanti Nath Pal ..	Ditto ..	25-11-1927.
11	Munshi Munsuraddin Akhand	Ditto ..	10-4-1928.
12	Nirmal Kanti Bosu ..	Ditto ..	24-4-1928.
13	Jnan Ranjan Ganguli ..	Passed B.Sc. Examination ..	1-7-1928.
14	Sachindra Nath Banerjee ..	Passed Matric. and knows Stenography.	16-7-1928.
15	Syed Mashud Ali ..	Passed Matric. Examination	10-9-1928.
16	Munshi Khandakar Rezaul Huq.	Ditto ..	2-1-1929.
17	Dinesh Chandra Bhattacharjee.	Passed the B.Sc. Examination with distinction.	16-1-1929.
18	Munshi Marufal Huq ..	Passed Matric. Examination	22-7-1929.
19	Jitendra Nath Ghose Destidar.	Ditto ..	5-8-1929.
20	Munshi Md. Lutfar Rahaman	Ditto ..	5-8-1929.
21	Shyamapada Sarkar ..	Ditto ..	5-12-1929.
22	Sisir Kumar Banerjee ..	Ditto ..	6-12-1929.
23	Prafulla Kumar Das Gupta..	Read up to I.Sc. ..	19-12-1929.
24	Mir Hatem Ali ..	Passed Matric. Examination	7-2-1930.

Serial No.	Name.	Educational qualifications.	Date of appointment.
25	Md. Golam Rabbani ..	Passed Matric. Examination	12-1-1931.
26	Nripendra Narayan ..	Passed B.A. Examination ..	20-4-1931.
27	Kedareswar Roy Choudhury	Passed Matric. Examination	1-7-1930.
28	S. M. Nurazzaman ..	Ditto ..	20-7-1931.
29	Makham Lal Roy ..	Ditto ..	6-2-1931.
30	Kamadapada Chatterjee ..	Ditto ..	24-4-1928.
31	Surjaprokash Bhattacharjee	Ditto ..	1-7-1928.
32	Dhirendra Mohan Chakrabarty	Ditto ..	16-7-1928.
33	Mukundadeb Mukherjee ..	Ditto ..	10-9-1928.
34	Abdur Rahaman Molla ..	Ditto ..	1-12-1928.
35	Khirode Lal Samaddar ..	Passed B.A. Examination ..	2-1-1929.
36	Khagendra Ranjan Mazumdar.	Passed I.Sc. Examination. ..	16-1-1929.
37	S. K. Kayamali Gazi ..	Passed Matric. Examination	22-7-1929.
38	Tarapada Patitunda ..	Ditto ..	5-8-1929.
39	Srikrishna Chatterjee ..	Passed I.Sc. Examination ..	5-8-1929.
40	Nasirali Khan ..	Read up to I.A. ..	5-12-1929.
41	Sunil Chandra Chatterjee ..	B.A. ..	6-12-1929.
42	Phani Bhusan Ganguli ..	Passed Matric. Examination	19-12-1929.
43	Kazi Mozamnal Hossal ..	Ditto ..	7-2-1930.
44	Monoranjan Chakrabarty ..	B.A. ..	12-1-1931.
45	Jajneswar Banerjee ..	B.A. ..	20-4-1931.
46	M. Abul Hamid Sardar ..	Passed I.A. Examination ..	1-7-1931.
47	Jasodajiban Ghosh ..	Passed Matric. Examination	20-7-1931.
48	Raghupati Rai Chowdhury	Ditto ..	5-1-1928.
49	Sk. Ayajuddi ..	B.A. ..	10-4-1928.
50	Mohammad Khalil ..	Passed Matric. Examination	18-4-1928.
51	Nepal Chandra Chowdhury	Ditto ..	18-4-1928.
52	Mukunda Lal Mukherjee ..	Ditto ..	24-4-1928.
53	Chintaharan Chunda ..	Ditto ..	24-4-1928.
54	Birendra Nath Ganguli ..	Passed I.A. Examination ..	1-7-1931.
55	Pirali Molla ..	Passed Matric. Examination	20-7-1928.

Serial No.	Name.	Educational qualifications.	Date of appointment.
56	Jiban Lal Sen Gupta ..	Passed Matric. Examination	17-9-1928.
57	Md. Meser Ali ..	Passed I.A. Examination ..	17-12-1928.
58	Kshitish Chandra Halder ..	B.A. ..	2-1-1929.
59	Dinesh Chandra Mukherji ..	B.A. ..	25-7-1929.
60	Nirode Bandhu Sen Gupta ..	B.A. ..	5-8-1929.
61	Shekh Tafsiruddin ..	Read up to B.A. ..	5-8-1929.
62	Bejoy Kumar Chatterjee ..	B.A. ..	27-4-1931.
63	Subodh Chandra Ghosh ..	Passed I.A. Examination ..	27-4-1931.
64	Maulvi Zaharul Huq ..	Passed Matric. Examination	11-5-1931.
65	Maulvi Abu Sayed Md. Abdul Moyed.	Ditto ..	1-7-1931.
66	Vacant ..	A Muhammadan will be appointed within a week.	

3-30 p.m.

RESOLUTIONS

(on matters of general public interest).

[The discussion on the resolution regarding grant to the District Board of Rangpur to alleviate distress was then resumed.]

Mr. SHANTI SHEKHARESWAR RAY: Sir, this is a very modest demand and I hope the Government will accede to it. There is distress in all the districts in North Bengal, but the situation in part of Rangpur district is really serious. I shall not repeat the harrowing details of the existing condition of things there, but request the Hon'ble Member in charge of the department to visit the place and satisfy for himself if the statements made are correct or not. I am not asking him to do anything impossible or without a precedent.

I can recall to-day the very generous action of a ruler of a province some twelve years ago when famine conditions prevailed in a part of the district in Puri. The local officials were unwilling to admit the existence of famine, but, Sir Edward Gait, at the request of the local leaders led by the late Pandit Gopabandhu Das, personally visited the area accompanied by a Member of his Executive Council. As a result of the visit, the Government realised the gravity of the situation and immediately funds were available for relieving the distress of the

people. As one associated in a humble capacity with the work of relief under official auspices at the time, I have a full appreciation of the difficulties of the situation. It is a well-known fact that for reasons best known to them the Government are unwilling to admit the existence of famine in any part of this country. Local officials as a rule take their cue from the attitude of the higher authorities and they generally try to minimise the gravity of the situation. It is sad to reflect that while thousands of people are on the verge of starvation, while women have to go about in rags, the Government are content to look on. From their angle of vision, there is no famine in the land. I do not know if the situation in Rangpur is so grave as to satisfy all the tests under the Famine Code, but if we take a common sense view of the situation, it is certainly time for the Government to come to the rescue of the helpless peasantry of the district. If the Government have any scruple to recognise the existence of famine officially, I would suggest the Government to start relief measures immediately on the basis of an unofficial famine.

Babu KHETTER MOHAN RAY: In rising to support this resolution, I must say that the resolution moved by the hon'ble member has my sympathy so far as it goes, but it does not go further. The hon'ble member ought to have made this resolution more comprehensive. It is not Rangpur alone which is suffering from acute distress, there are other districts, such as Tippera, Dacca, Mymensingh, Pabna, etc., which are equally passing through economic crisis. I had been to the interior of the Tippera district and I can say confidently from personal experience of my district that the descriptions given by the hon'ble member as to the sad plight of the various classes of people in the district of Rangpur are equally applicable to the people of Tippera affected by economic depression, with this difference that Rangpur was visited by additional calamity, viz., cyclone in September last.

The Hon'ble Sir PROVASH CHUNDER MITTER: On a point of order. Although I have no objection to slight general references being made to other districts, I am sorry I must protest against the speaker referring to other districts particularly.

Mr. PRESIDENT: There is no objection to your referring to other districts casually, but as the resolution proposes to give Rs. 25,000 to Rangpur, your remarks should be confined mainly to Rangpur.

Babu KHETTER MOHAN RAY: The people of Tippera like Rangpur including money-lenders and zamindars are intensely affected by the distress which has been intensified by damages to crops by early flood in their rivers. Tils, chillies, early aus paddy and jute in low lands were badly damaged by early and sudden rise of water in the

river in May last. People who used to earn their livelihood by daily labour are the worst sufferers. In our district any number of labourers can be engaged at 2 annas per day, but, alas! there are no works to provide them with. Sufferings of those cultivators whose crops were destroyed by the untimely flood are not less acute than those of the labourers. Whatever jute crops have been sown in the district are being damaged by insects. Prospect of the jute crops is very poor there; jute is selling at Rs. 2 to Rs. 3 per maund. We expected that the situation would improve when jute would be harvested, but now we have been sadly disappointed in our expectation. The Collector of Tippera and the Commissioner of the Chittagong Division toured throughout the affected areas. I believe the Government might have received their reports by this time. I, therefore, urge that the immediate steps should be taken to give relief to the people by way of loan and gratuitous relief and also by opening relief works. We may not call it famine according to the definition of "famine" in the Famine Code, but, nevertheless, the effects of this distress are not less disastrous than the "famine." There is plenty of foodstuff, but there is dearth of money unheard of within the living memory. Many of these people go without food for two or three days together. A large number of people have been reduced to such a miserable state that they have found it difficult to keep their body and soul together. Reports of suicides and attempted suicides are daily pouring in in the columns of newspapers. People unable to maintain themselves and their families put an end to their lives or attempted to kill themselves. The primary duty of the Government is to save the people from starvation which is staring them at their face. If the Government have not sufficient funds at their disposal, they should take loans from the Government of India. I hope and trust that the Government would do their duty and save the people from this dire calamity.

Babu SATISH CHANDRA RAY CHOWDHURY: I beg to support the resolution on a general principle and more so because it is the only resolution which I find is likely to come up in which we can express our thankfulness to Government regarding the assistance that is being given to relieve the widespread distress or I am tempted to call it calamity. I support the resolution, because I want the Government to recognise the stern fact, which no amount of quibbling with words can dim or destroy—the fact of widespread and dire distress leading in many cases to death, starvation or suicide. The Hon'ble Member denied yesterday that there was famine condition in many parts, but admitted that there was very great distress, if I heard him aright.

I do not know why he makes that distinction between very great distress and famine conditions unless it be for evading his own responsibility. The Famine Code, although it leaves the option of declaring famine with the Government, has made very rigid provisions requiring

the Government officials to take active measures as soon as there is distress—not to speak of very great distress. It seems that the Code makes no distinction between distress and famine. Section 46 of the Famine Code says that as soon as there is a prospect of widespread distress or famine, the Local Government shall issue circulars, etc. So there is no distinction made between distress and famine; and whether it is distress or famine, the responsibility is the same with Government of issuing circulars in order to organise the whole staff; but I presume the Local Government have done nothing of the kind yet, although the fact of widespread distress is admitted. The fact remains that as soon as distress is apprehended under section 48, certain steps are to be taken; and I find that these steps are the very same steps which are taken when there is actual famine, such as the appointment of Officers-in-charge, Superintendents, Circle Officers, etc., to cope with the problem. As a matter of fact, whenever there is an apprehension of famine, all these steps have got to be taken. Now the question is, have the Government taken any of these steps? Section 60 is still more clear. That section lays down; "As soon as it is certain that distress is imminent, the time has come to appoint Circle Officers" and all that. As soon as it is apprehended and on the admission of the Hon'ble Member we have it that there is very great distress in the country. Supposing there is famine in the country, the responsibility of Government is very great indeed. Section 41 is very clear and liberal in the matter of provision. It says, "moral depression of the people is inevitable on the occurrence of a general calamity, especially when there is a sudden disaster, etc.; and it is of great importance on such occasions to have recourse to an early and adequate distribution of loans, both as an act of moral strategy to give confidence to the people and also with the object of stimulating agricultural effort and agricultural credit. When, therefore, the monsoon rains fail or crops are destroyed by floods or otherwise, liberal advances should be given under the Land Improvement and Agriculturists' Loans Acts, and should, if necessary, continue to be given whether famine is declared or not, until normal conditions are restored." So when there is distress, these precautionary measures have got to be taken and liberal grants ought to be made.

The Hon'ble Sir PROVASH CHUNDER MITTER: May I point out all these things have little to do with the resolution itself. I am not objecting to his referring to them. The member is labouring the points in the Famine Code and I may say that I accept in advance all that he says.

Babu SATISH CHANDRA RAY CHOWDHURY: If that is accepted, my next point is whether those precautionary measures have been taken in Rangpur and other places where there is distress.

We have heard that agricultural loans are being given and grants have been given under that Act. Test works are to be opened under the Famine Code as soon as there is apprehension of distress; therefore, the demand is very well justified and the demand, although it comes from Rangpur, has got our strong support, because we are also in the grip of the same kind of distress, and our grievances are as deep as that of Rangpur. If all that is admitted, I do not see any reason why Government should not come forward and make a liberal provision in order to meet the existing distress or, I might say, calamity. Unless action is taken betimes, we shall surely be launched into a condition over the problem when it will be too late for Government or for anybody else to prevent those dire consequences, which we all want to avoid. Now I have it from the Hon'ble Member that his powers are limited under the Agriculturists' Loans Act and that is why I was labouring the point. As a matter of fact his powers are limited, but he has given money to the agriculturists to buy cattle and seed but he cannot give them money to buy their food with.

3-45 p.m.

We find, Sir, that provision was made in the past, although unfortunately at the present time Government are very cautious and are slow in taking steps. We find that in the Agriculturists' Loans Act there is provision for granting relief, not only to enable the agriculturist to purchase cattle and sheep, but also for relieving distress—not only to enable him to purchase his food-grains, but also to enable him to meet his primary obligation of paying rent, without which he is bound to be landless in no time. Unless the rent is paid, there will be a decree against him, which, if executed will make him landless. Therefore, the relief will be of no avail. It is necessary to make provision so as to enable the agriculturist to tide over bad times, thus enabling him to reap the next harvest. To say that according to the provisions of the law Government are helpless to render any help to the agriculturists would bring us face to face with the question of helping, not only the agriculturists, but also other classes. I believe that Government are quite oblivious of the fact that the present distress has not only touched the agriculturists—although the agriculturists have been hit severely and although they are the persons who are affected in the first instance—but also other classes of people. It is true that on the well-being of the agriculturists depends the existence of the other classes. But it will not do to forget the other classes, I mean the middle classes, the working classes—be they of the Hindu community or be they of the Muhammadan community. The obligation of the State is the same in respect of all classes, viz., to help them to tide over any distress or calamity———

The Hon'ble Sir PROVASH CHUNDER MITTER: On a point of order, Sir. We have deviated a great deal from the subject-matter of the resolution. The subject-matter of the resolution is that Rs. 25,000 should be granted to the District Board of Rangpur to carry out test relief works. But in view of the fact that there is a good deal of strong public sentiment in the matter, although Babu Satish Chandra Ray Chowdhury has gone astray, I have not up till now objected. If he had put down a general resolution covering the whole field of distress in the province, the whole question could have been discussed and I would not have objected. But if he wants to cover the whole field of distress at present prevailing in the province, then, Sir, I ought to have at least a day's notice so as to look up the papers. I would ask him to look at the language of the resolution. Its purpose is very limited, viz., that a grant of Rs. 25,000 be made to the District Board of Rangpur, and I feel severely handicapped if the whole question of distress is allowed to be discussed.

Babu SATISH CHANDRA RAY CHOWDHURY: I do not want to criticise the Hon'ble Member, but to————

The Hon'ble Sir PROVASH CHUNDER MITTER: May I point out that I do not mind any personal criticism at all; but I would point out that the member will have a good opportunity of making helpful suggestions, which would be welcome not only to me but to the other members of Government, in connection with resolution No. 19?

Mr. PRESIDENT: The rules demand that speeches on resolutions should be strictly confined to the resolution itself, but then it is for the President to consider whether he should enforce the rules with that rigour which would stifle discussion. Of course, Mr. Ray Chowdhury went somewhat beyond the scope of the resolution; but, I think, his sole object was to show that in his view not only the agriculturists but also other people should benefit through the action of Government. If Mr. Ray Chowdhury would keep this in view, he should be able to keep his remarks within the scope of the resolution proper.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of order, Sir. While I quite appreciate your general observations, may I inquire whether it is not open to members of this House to discuss the principle so far as test relief works are concerned?

Mr. PRESIDENT: That was also my point. Unless the principle was allowed to be discussed, the discussion would hardly be of any use.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I am handicapped in this way that if any particular member refers to relief work in any particular district, say Nadia, I shall not be in a position to deal with the subject adequately. I have no objection to any hon'ble member referring to the principle of making grants for test relief works. Normally, I would not have objected to specific instances; but as I have got no papers with me at present, I am constrained to object to references to specific instances.

Mr. PRESIDENT: The point of Sir Provash is that no question of fact should be raised, because he is not in a position to deal with them. That is his difficulty.

Babu SATISH CHANDRA RAY CHOWDHURY: May I point out to the Hon'ble Member that I quite appreciate his intention not to shut out discussion? I give my wholehearted support to the resolution, although I find that the Hon'ble Member is not in a mood to listen to unpleasant suggestions.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I protest against this remark. The hon'ble member has not put in any substantive resolution and yet he makes serious charges. I vehemently protest against his remarks.

Babu SATISH CHANDRA RAY CHOWDHURY: Sir, if any remarks of mine have offended the Hon'ble Member, then I wish to withdraw them.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I do not know whether your ruling will stand in my way, but I want to raise the question————

Mr. PRESIDENT: What do you mean?

Khan Bahadur Maulvi AZIZUL HAQUE: I mean what I am going to say.

Mr. PRESIDENT: You may be sure that I am here watching the course of the debate.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, a question has been raised about giving a grant to a particular district board. Whether there is distress in that area or whether loans have been granted to the district boards for carrying on test relief works are matters which we are very anxious to know from the Hon'ble Member. But I want to

raise a particular question, and that is the principle on which these test relief works are carried on. I am speaking from personal experience. A few years back famine was declared in the district of Nadia under the Famine Code. Even this year distress in prevailing there, and I am thankful to Government for the agricultural loans that have been granted to parts of my district. But quite apart from that, what I find is that there is absolutely at the present moment no definite rule by which district boards can take up the question of starting test relief works. Unfortunately it takes a lot of time for test relief works to be started, and even then the district boards are not in a position to know how they are to be carried on.

Sir, we often hear of distress in particular areas, but Government have certain rules as to how this distress is to be judged. Anyway, when the district board and the District Magistrate in collaboration with the Commissioner of the Division come to an agreement that there is distress, the difficulty arises about the allocation of funds. I am speaking from personal experience. We have had bitter experience of not getting back our money from Government in spite of the assurance of the Commissioner that we would get our money back. And I think that the Hon'ble Sir Provash Chunder Mitter would be able to find out from the records of his department that though we had spent Rs. 30,000 from our limited resources in tackling the situation, and that though we had assurances from the District Magistrate as well as the Commissioner (Mr. Sachse) that we would get our money back, we did not get recouped. On the other hand, our protests went unheeded.

I will not mention here the name of another district board which refused to carry on test relief works under present conditions. I do not blame the Hon'ble Member personally, but I blame the rules, and I have been of opinion all along that there should be a definite and elastic rule for the purpose. Sir, at present Government have a rule —and Government as the final authority have laid it down—that so far as test relief works are concerned, the initiative lies with the district boards. The district boards have limited resources. Their budgets are as much precarious as that of Government, and it is terribly difficult for district boards to take-up these test relief works. Therefore, I think that if Government desire that the test relief works should be carried on in the proper spirit, the present rules stand in the way, and it would be very well if Government could find out some way by which the allocation of the funds could be made in a proper manner. I do not mind if the district boards are required to pay a certain percentage of the expenditure. If a district board is required to carry on test relief works, it is not proper that it should be made to spend a large slice of its funds for the purpose. I consider the present position to be an anomalous one.

Then, Sir, Government have got elaborate rules for judging whether there is any famine or not in a particular area. Whenever we put a question in this House, we are told that there is no famine because it has not been declared. But, pray, who is the authority to declare whether there is famine or not in any particular area? I submit that there is always some reluctance on the part of Government to declare famine in any particular area, due, I believe, partly to financial reasons and partly because elaborate arrangements have to be made to collect statistics, etc., for giving relief. These are matters which really require the immediate and earnest attention of Government. I am not speaking this with a view to criticising the action and motives of Government. As a matter of fact, I am perfectly satisfied that, subject to limitations, Government are trying to do their level best, but the anomalies are there all the same, and I hope that the Hon'ble Member will give the matter his careful consideration and put an end to the present state of affairs.

4 p.m.

The Hon'ble Sir PROVASH CHUNDER MITTER: I should have liked to dwell first on some of the broad points raised in the debate, but as I can dispose of very shortly a small point made by Khan Bahadur Azizul Haque I shall deal with it first. The Khan Bahadur's complaint is that on account of some defect in the Famine Code his district board—Nadia—was not fairly treated on a certain occasion. He says that whereas certain other district boards on that occasion had the whole of the advance made by Government written off in spite of the fact that some of them did not co-operate as whole-heartedly as his district board———

Khan Bahadur Maulvi AZIZUL HAQUE: I got Rs. 20,000 written off.

The Hon'ble Sir PROVASH CHUNDER MITTER: I am obliged for this information. I can quite understand that the Khan Bahadur thinks that it was somewhat hard that his district board did not get the whole of the advance written off. Whether, generally speaking and for other reasons, the Famine Code requires revision or not is a separate matter, but on this particular point at any rate the Famine Code does not require any revision because it provides that Government can grant a loan to the district board and can write off the whole or portion of the advance made to it. In that particular year—speaking from memory—I think amongst others the Bankura District Board was one of the district boards which perhaps did not co-operate as whole-heartedly as the Nadia District Board. Yet very probably we had to write off every rupee of our advance to the Bankura District

Board. This we had to do because the last named district board was poor in its resources and had no money. In writing off these advances we had to take into account the resources of the district boards, but in the case of the Nadia District Board one principal reason—speaking again from memory—why the whole of the Rs. 30,000 was not written off, but only Rs. 20,000 was written off, was that the resources of the Nadia District Board had recently increased on account of revaluation of cess in that district. This additional income the Nadia District Board had not, so far as I remember, utilised previously in the budget that was last prepared so that they were in a better position to pay than some of the other district boards. But it is possible that the good effort made by the Nadia District Board weighed with me in allowing the Rs. 20,000 to be written off. This is a matter which took place some time ago and as the question has been raised somewhat unexpectedly in the debate, it is not possible for me to give the Khan Bahadur fuller or more accurate information unless I examine the whole file on the subject, but it is clear that on this particular grievance of the Khan Bahadur the Famine Code does not require any change.

Now, Sir, I would like to enter into the more important and the general question that has been raised only incidentally and on the wording of the resolution could not be raised directly. I personally regret very much that I had no opportunity yet to deal with the general question in which the public are keenly interested. The only two resolutions we had so far were the present resolution moved by Kazi Emdadul Hoque which really relates to Rangpur and the first resolution moved also by the same speaker and which too related to Rangpur. There is no doubt resolution No. 19 standing in the name of Dr. Naresh Chandra Sen Gupta which may enable the hon'ble members as well as Government to deal with the general situation. It is to be regretted that many hon'ble members did not send general resolutions on the subject and that Babu Satish Chandra Ray Chowdhury, who takes and rightly takes a keen interest in the general question, did not send any resolution to enable Government to deal with the general situation. But as yet we had not any specific resolution dealing with the distress in every district in Bengal and challenging that Government has not———

Babu SATISH CHANDRA RAY CHOWDHURY: May I rise to a point of personal explanation? There is a resolution, No. 72, standing in my name but it has been relegated so far back that I do not think I shall reach it.

The Hon'ble Sir PROVASH CHUNDER MITTER: I stand corrected so far as Babu Satish Chandra Ray Chowdhury is concerned,

but if a large number of resolutions were sent by a number of members then very probably some resolution would have been taken up fairly early. But my point remains that barring resolution No. 19 there is no resolution, which has any chance of being debated in the Council, in which I can deal with the general question. As, however, the point has been raised incidentally I shall try to explain the Government point of view with regard to some of the general questions raised. In the meantime I may clear up one point arising on the immediate question before the House, namely, the resolution requesting Government to grant Rs. 25,000 to the district board of Rangpur to carry out test relief work. I freely admit, and the Khan Bahadur has also made this point, that Rangpur is one of the districts which has been more hard hit than many others. In Rangpur the prosperity of the people depends on jute as well as tobacco. The price of both jute and tobacco has fallen. The general public is perfectly familiar with the fall in the price of jute, but they may not be so familiar with the fall in the price of tobacco which is grown only in the district of Rangpur, portions of Jalpaiguri, Dinajpur, Cooch Behar, etc. So I propose to give certain figures with regard to the fall in the price of tobacco. Accidentally I happen to have a file with me in which I have the figures about the price of jute and tobacco. In the year 1928-29 the price of tobacco was Rs. 20, in 1929-30 it was Rs. 12 and in 1930-31 it was Rs. 8. The fall in the price of tobacco, therefore, constitutes an additional hardship for Rangpur as compared with a purely jute-growing district like Mymensingh. The Kazi Sahib himself has said that generally speaking in ordinary times the district of Rangpur was on the whole a comparatively prosperous district. This is a perfectly correct proposition. The agriculturists of Rangpur were, generally speaking, more prosperous than the agriculturists of many districts as their rate of rent was low. The landlords too of Rangpur generally speaking, were more prosperous as they had to pay a comparatively low rate of land revenue. A very interesting point emerges if we take for example for purpose of comparison the adjoining district of Dinajpur. In Dinajpur, although there is not the specific question of fall in the price of tobacco, yet in normal times the position of agriculturists as also of landlords there is much worse than those in Rangpur. This is reflected by the fact that in normal times the rate of interest which the agriculturists and the landlords in Dinajpur had to pay was much higher than the rate of interest which the agriculturists and landlords in Rangpur had to pay. Even in a year like this when Rangpur is hard hit the rate of interest in Rangpur for agriculturists is about half of the rate of interest in Dinajpur for agriculturists and the rate of interest for the Rangpur landlords is less than that of the Dinajpur landlords. These differences indicate that the problem requires a good deal of specific inquiry. Every district has its points of difference, and when we have to give relief on a large scale, we have to take note of

all these facts and differences. I do not for a moment dispute the proposition that there is a serious distress all over the province, but that distress, I say, is not so much as distress for want of food as it is for want of money. Even if a man works———

Babu KISHORI MOHAN CHAUDHURI: May I rise on a point of order?

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I would much prefer that if any question has got to be asked it might be put after I had finished, otherwise these interruptions take me away from my line of argument.

Mr. PRESIDENT: In that case Sir Provash you should not have given way.

The Hon'ble Sir PROVASH CHUNDER MITTER: The reason why I resumed my seat was that I always respect Kishori Babu.

Khan Bahadur Maulvi AZIZUL HAQUE: It causes difficulty to the President also.

The Hon'ble Sir PROVASH CHUNDER MITTER: As I was saying, Sir, there is not the slightest doubt that there is distress for want of money all over the province, nay, not merely all over the province of Bengal but all over India; I may add that the distress in Bengal for want of money is perhaps greater than that of any other province. We in Bengal have been hard hit by the fall in the price of jute, by the fall in the price of paddy, by the fall in the price of coal for the last 8 or 10 years, our friends there(pointing to the European group) know that this year tea is in a very bad way and the normal trade of the province, dependent as it largely is, on its export trade in jute and its import trade in articles like piecegoods, steel and iron, has gone down partly due to the low price of agricultural commodities and partly due to political causes. Whatever the reason may be, the fact remains that the normal trade and commerce of the province have seriously gone down. This must severely affect circulation of money in the province. Now, in a province like Bengal, where as many as five different sources of wealth have failed, all castes and communities, the poorest agriculturists as well as the richest landlords, the merchant princes of Clive Street and traders all over the province, must suffer, and every one in Bengal must suffer for want of money. The position may be difficult, the position may be serious, but you cannot find a solution, you cannot see daylight, you cannot solve a question like this by mere angry speeches. However well intentioned your speeches may be, I venture to say that the general want of money in the province

cannot be solved by proposing giving of loans even on a comparatively large scale. The difficulty of finding a true solution is illustrated by the fact that if in a rich country like England an expert Committee sitting for nearly two years was unable to find a satisfactory solution, how much more difficult it must be in a poor country like mine. It will require all the attention, all the forethought, of every public man of the province—not only of every public man, but of Governments, provincial and central; and even with such united effort the solution may be difficult. Do not for a moment think that by mere criticism, by mere flow of words, you can stop the difficulties created by want of money. I have been told that Government is callous and heartless because Government is not granting sufficiently large amounts in loans, but before I deal with the question of limited powers of the provincial Governments in this respect, let me place some figures by way of illustration. Supposing we are to grant a loan of Rs. 10 on an average to every agriculturist and his dependants in the province what will be the total amount required? We know that there are 3·6 crores of people who with their dependants are agriculturists pure and simple. If you also take those who are not agriculturists pure and simple but partially agriculturists, then the number would be about 4 crores. A loan of Rs. 10 per head will, therefore, mean 40 crores of rupees. It has been conceded by Babu Satish Chandra Ray Chowdhury and others that this money cannot be found by the Local Government. Their suggestion to the Local Government was to borrow money from the Government of India. If we borrow Rs. 40 crores for Bengal from the Government of India, that Government cannot, very well, refuse similar help to other provinces. Just calculate how large the sum will be if the Government of India were to lend to the different provinces on the basis of Rs. 10 per head, if in Bengal alone it comes to 40 crores of rupees? I do not for a moment say that the requirements of the people should not be met by borrowing if the difficulties of the situation can be solved that way. But I would like to put to the House a simple question what would even Rs. 10 per head do? It would perhaps feed a household for a month or six weeks for the most. That will not solve the difficulty. But what would even Rs. 25 per head do? But just see what a stupendous figures that will mean for the whole of India! Therefore, although a loan may be helpful, do not run away with the idea that a mere loan will bring back the trade and commerce of Bengal; do not for a moment think that a mere loan which will simply stave off the evil day and will have to be repaid later on will raise the price of jute; do not for a moment think that the doling out of a few rupees to agriculturists will raise the price of paddy or will make the people more prosperous. The root cause of the problem this year is very different from the problems to cope with which the Famine Code was prepared. All the problems which Bengal and other provinces had to deal with in the past under the

Famine Code were problems due to a situation created by loss of crops in particular areas caused by floods or droughts or insect pests. That is a problem very different from the problem we are faced with to-day, and the problem before us is far more serious than those problems. Believe me it is a different problem altogether. We are by no means shirking the question, but I desire to point out that we have to approach the problem from a different standpoint.

Now, Sir, with regard to the point raised by Babu Satish Chandra Ray Chowdhury that Government is not declaring famine and applying those provisions of the Famine Code that are consequential to such declaration because the application of those provisions of the code will mean expenditure of more money to Government, I may tell him that the idea contained in his suggestion has been duly considered and will again be considered in future, but he forgets one important fact and that is that after the constitutional changes created by the Government of India Act and the Statutory Rules following that Act a declaration of famine and consequent application of Famine Code at any rate in Bengal instead of helping Government in relieving distress will handicap it.

4-15 p.m.

Khan Bahadur Maulvi AZIZUL HAQUE: Why not change it?

The Hon'ble Sir PROVASH CHUNDER MITTER: We shall change it when the need for the change will arise. But the question of change has nothing to do with the point I am making. I am now dealing with the Famine Code as it stands, and I am dealing with the position created by the Government of India Act and Devolution Rules rather than with the provisions of the Famine Code itself. I may refer the House to Schedule IV of Rule I of the Devolution Rules and these are Statutory Rules. That rule says that the sum set apart for Bengal is only Rs. 2 lakhs annually whereas in Bombay it is Rs. 12 lakhs and in the United Provinces it is Rs. 16 lakhs. The subsequent Rules say that we can————

Mr. SHANTI SHEKHARESWAR RAY: May I rise on a point of order, Sir? The resolution asks for a modest sum of Rs. 25,000.

Mr. PRESIDENT: Sir Provash is quite in order.

The Hon'ble Sir PROVASH CHUNDER MITTER: As I was saying, the subsequent rules say that the amounts allocated under Rule I of Schedule IV can be accumulated for 6 years, that is, we can have

altogether Rs. 12 lakhs. I may tell the House that when a famine is declared and certain provisions of the Famine Code consequent on such declaration are made applicable, our resources will be far more limited than those under sections 84 and 85 of the Famine Code. After a formal declaration of famine, our resources will be limited generally speaking to only Rs. 12 lakhs. After we have declared famine and applied certain sections of the Famine Code we have to arrange our own officers to take charge of the position arising out of the distress in every district and I can assure Mr. Ray Chowdhury that perhaps half of the sum of Rs. 12 lakhs will be spent in paying Sub-Deputy Collectors, Kanangoes and others as also their travelling allowances. On the other hand with our powers under the present constitution as embodied in Schedule IV of the Devolution Rules and with our general powers under the constitution we can grant money to district boards, give loans to agriculturists without declaring famine. That is an aspect which certain newspaper critics and others forget. I will now draw the attention of the House———

Khan Bahadur Maulvi AZIZUL HAQUE: May I ask the Hon'ble Member how many days it takes a proposal to be sanctioned?

The Hon'ble Sir PROVASH CHUNDER MITTER: Twenty-four hours and sometimes even less than 12 hours. Yesterday we had a request for a grant of Rs. 5,000 and the order was issued yesterday afternoon. Under rule 8 of the Devolution Rules we have certain facilities, with regard to grant of money to agriculturists and to supplement the efforts of the District Board. One point which Mr. Ray Chowdhury has apparently forgotten is that when the Famine Code was framed there was only one purse, namely, the purse of the Government of India; but since 1921, nine separate purses under nine separate provincial Governments have been created and the problems of meeting famine conditions in districts have to be met from the separated purse of every province. If you read the Famine Code after the constitutional changes, you have got to read it along with Schedule IV of the Devolution Rules which, as I have said, are Parliamentary statutory provisions. The Famine Code has to that extent been modified by Schedule IV. When we apply the Famine Code in Bengal, we have Rs. 12 lakhs altogether; whereas in other provinces, say Bombay, when they apprehend famine very large sums of money are available. Therefore it may not be an advantage to the poor and distressed people of Bengal to apply the Famine Code here. On the other hand if we have the co-operation of district boards———

Babu SATISH CHANDRA RAY CHOWDHURY: That is what we have got from the Reforms.

The Hon'ble Sir PROVASH CHUNDER MITTER: I am not dealing with what the Reforms have given us, but I am only stating the constitutional position as it is to-day. Under section 84 of the Famine Code certain duties are cast on the district boards and many of the district boards, as my friend Khan Bahadur Maulvi Azizul Haque and others know, are doing their work satisfactorily in spite of their not getting the full collection of cesses. The total income of all the district boards is about Rs. 85 lakhs and a loan by the provincial Government can also be given to them quite apart from the agricultural loan given directly to the agriculturists. The loan given to the district boards can be written off later when the question of repayment arises. It may be quite possible as was done about 3 years ago to write off portions of this loan from district boards which has not the means of repaying these loans.

Khan Bahadur Maulvi AZIZUL HAQUE: I suppose the Hon'ble Member thinks of the Nadia District Board: the income of———

The Hon'ble Sir PROVASH CHUNDER MITTER: I know the income of this district board has increased considerably after cess revaluation; but there are poorer district boards like Bankura and Birbhum which may not have been able to pay and their loans perhaps had to be written off.

Khan Bahadur Maulvi AZIZUL HAQUE: May I, Sir, with your permission correct a statement made by the Hon'ble Member? He is drawing a very rosy picture of the financial position which is not correct. As a matter of fact, when Mr. J. N. Roy was our Commissioner, I remember that he and myself had once occasion to decide at the Ranaghat station that we should have to draw from the surplus fund which we have to keep under the Statute.

The Hon'ble Sir PROVASH CHUNDER MITTER: I do not think it is fair to ask me to deal without notice with the details of the question which took place 3 years ago.

However my point is that in view of the position created by the Statutory Devolution Rules we are in a better position as we shall have now better resources at our disposal than we shall have by applying certain provisions of the Famine Code.

Mr. PRESIDENT: Will Sir Provash now come to the general position with regard to the resolution.

The Hon'ble Sir PROVASH CHUNDER MITTER: I was discussing some of these matters as they were raised in the debate, but I again repeat that they can be more satisfactorily raised and more satisfactorily dealt with when we discuss resolution No. 19.

Then, Sir, a reference has been made to the inadequacy of the loans given under the Agriculturists' Loans Act. All that I need say is that advances made under the Agriculturists' Loans Act cannot possibly be utilised for dealing with the situation created by want of money. Loans under that Act cannot be given to tenure-holders, zamindars, or traders. Such loans cannot deal with problems arising from the general economic depression of society. Such loans cannot be given to persons other than agriculturists and even to agriculturists only for the immediate needs of their agriculture. Therefore we cannot really help the situation created by want of cash all over the province by application of the Agriculturists' Loans Act.

I now come to the resolution itself. In the first place I would draw the attention of the House to the fact that this specific recommendation to grant Rs. 25,000 to the district board of Rangpur is a priority resolution, notice of which was given on the 23rd December last. Therefore I may take the House into my confidence and state what we have done since that time. Eearly in December last relief works were opened by the district board at Rowmari thana in the district of Rangpur with their own funds but that owing to financial stringency the district board wanted from Government an advance of Rs. 5,000 for opening test relief works in thanas Shaghatta, Fulchari and Gaibandha. Accordingly on 13th December, 1930, Government sanctioned Rs. 5,000 as asked for by the district board. Test relief works were opened at Rowmari police-station in the Kurigram subdivision and at Shaghatta police-station in the Gaibandha subdivision; and the daily attendance of workers at these places never rose above 112 at Rowmari and 186 at Shaghatta. When these works were discontinued, the district board asked for a further advance of Rs. 5,000 which was sanctioned on the 9th March, 1931. New works were opened for repairing the Rafaitpur-Ratanpur road on the 12th March, 1931, and works for the repairs of Kamarjani-Haripur and Mohimganj-Shaghatta roads were opened from the 25th March, 1931. The works at Mohimganj-Shaghatta road were closed on the 15th April, and the number of persons working on the last day was only four. The District Board again asked for Rs. 5,000 which was sanctioned on the 9th April, 1931 and again recently Rs. 2,000 was sanctioned on the 19th June, 1931. Works on road No. 17 were opened from the 12th April, 1931. I do not think I need go into further details; all that I need say is that whatever sums the district board asked for were paid; and according to latest reports there is still some money left with the board—about Rs. 1,500. If the district

board wants a further sum, we shall give it. The general position is that if the district board asks for an advance and the District Magistrate is satisfied that the advance is required, we shall grant the advance without any delay. About agricultural loans, if the District Magistrate gives sufficient reasons, we sanction them without hesitation in the expectation that the Council will approve of our action. About the Famine Code, as I have already explained, if we declare a famine, our resources are limited to Rs. 12 lakhs and the situation becomes worse. Therefore, so far as this resolution is concerned, I oppose it also on the ground that its recommendation is limited to a particular district, although we have paid the sum recommended or a little less. But I accept the general principle that when there is distress and the district board and the District Magistrate ask for an advance we shall give it and later on we shall go into the question of adjustment. I think that after the assurance I have given, the mover will withdraw the resolution.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to tell us whether it will be permissible for a district board with the approval of the District Magistrate to apply direct to the Hon'ble Member?

The Hon'ble Sir PROVASH CHUNDER MITTER: No. It must come through the regular channel, i.e., the Commissioner. It is not fair to ignore the Commissioners and they are more keen than, or as keen as, my friend to do the right thing.

Khan Bahadur Maulvi AZIZUL HAQUE: It takes time.

The Hon'ble Sir PROVASH CHUNDER MITTER: In case of urgency the District Magistrate can send it to the Secretary direct.

The motion of Kazi Emdadul Hoque was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Ali, Maulvi Syed Nausher.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Barma, Rai Sahib Panchanan.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Choudhury, Maulvi Nurul Absar.
Choudhury, Haji Badi Ahmed.
Choudhury, Maulvi Abdul Ghani.
Eusufji, Maulvi Nur Rahman Khan.
Fazlullah, Maulvi Muhammad.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Hossain, Maulvi Muhammad.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Mr. R.
Mookerjee, Mr. Syamaprosad.
Momin, Khan Bahadur Mohammad Abdul.
Rahman, Mr. A. F. M. Abdur.
Ray, Babu Amulyadhan.
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Hemi.
Roy Choudhuri, Babu Hem Chandra.

NOES.

Armstrong, Mr. W. L.
Austin, Mr. J. M.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Banerjea, Babu Jitendralal.
Basir Uddin, Maulvi Mohammed.
Birkmyre, Mr. N.
Blandy, Mr. E. H.
Bottomley, Mr. J. M.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Das, Babu Satyendra Kumar.
Dash, Mr. A. J.
Dutt, Rai Bahadur Dr. Haridhan.
Faroqui, the Hon'ble Khan Bahadur K. S. M.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Susil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Gupta, Mr. J. N.
Gurner, Mr. C. W.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
Khan, Maulvi Amin-uz-Zaman.
Khan, Mr. Razaur Rahman.
Law, Mr. Surendra Nath.
Luke, Mr. H. R.
Marr, the Hon'ble Mr. A.
Mitter, the Hon'ble Sir Provash Chunder.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Mullick, Mr. Mukunda Behary.
Nag, Babu Suk Lal.
Nazimuddin, the Hon'ble Mr. Khwaja.
Nelson, Mr. J. W.
Norton, Mr. H. R.
Philpot, Mr. H. C. V.
Poddar, Mr. Ananda Mahan.
Poddar, Seth Hunuman Prasad.
Prentice, the Hon'ble Mr. W. D. R.
Rai Mahasai, Munindra Deb.
Raid, Mr. R. N.
Roy, Babu Haribansa.
Ray, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Ray, the Hon'ble Mr. Bijay Prasad Singh.
Sadatullah, Maulvi Muhammad.
Sarkar, Sir Jadunath.
Sarker, Rai Sahib Rebati Mohan.
Sen, Rai Sahib Akshoy Kumar.
Singh, Srijut Taj Bahadur.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Travers, Sir Lancelot.

The Ayes being 30, and the Noes 56, the following motion was lost:—

"This Council recommends to the Government that Rs. 25,000 be granted to the District Board of Rangpur to carry on its test relief work in areas under acute distress due to the cyclone in May, 1930, flood and consequent failure of crop in last September, and general economic crisis."

[At 4-30 p.m. the Council was adjourned for prayer and it reassembled at 4-45 p.m.]

Bengalis for future appointments.

MUNINDRA DEB RAI MAHASAI: I beg to move that this Council recommends to the Government that in filling appointments including ministerial and menial appointments of the Government of Bengal, none but Bengalis or men domiciled in Bengal be in future recruited.

Sir, in moving this resolution I am not voicing the views of my constituency alone but of the people of the whole of Bengal.

At the outset I want to make it clear that personally I am not in favour of narrow provincialism. My personal view is that the doors to

public service in all the provinces should be kept open for the fittest Indian. This resolution has been tabled at the instance of my service seeking countrymen. They urge that as the doors to public service in other provinces have been shut out against them, why then should the door to public service in Bengal be kept open for all. If the public service of Bihar be reserved for the Biharis, the United Provinces for the United Provinces men and the Punjab for the Punjabis, then why should not the public service of Bengal be reserved for them. This is undoubtedly a legitimate public grievance well worth the most careful consideration of this House, especially as the unemployment problem of the middle class educated youths are becoming keener every day. In fact various factors have contributed to the ousting of the Bengalis from all walks of life to which they had a legitimate claim. They have become in the words of the poet helots in their own land—*Nija bushabhumay parabashi hoea.* Leaving out of consideration the big export and import business which are in the hands of outsiders, they have lost their hold even in the internal trade of their country. It has become the monopoly of the hardy people of the sandy deserts of Rajputana, who came in batches with lotas and blankets having little or no capital, and penetrated into the furthest corners of our villages, and practically occupied the foremost place in the business world of Bengal. They are now the masters of almost half the premier city of India and the metropolis of Bengal. Of course they are free to enjoy the fruits of their labour, enterprise and capital for which we cannot grudge.

5 p.m.

My countrymen are no doubt responsible to a certain extent for this lamentable state of things. They calmly allowed others to take their place in the business of their country, which should have been their legitimate avocation, and which had been within their grasp from time immemorial up to the advent of the British rulers. Western education disorganised and crumbled into pieces the united states of social federation which bound up their social fabric. Young Bengal left their ancestral avocations to receive an education provided by the rulers to make them fit to become a nation of clerks. No attempt was made to give them vocational or industrial training lest it hampered the British commercial exploitation of the country and the result has been disastrous to the people, which would be evident from the unemployment problem which is daily assuming alarming proportions.

I had been to various parts of India. I did not find a single Bengali in the public service of Madras, but here in Calcutta there is a regular settlement of Madrasis employed in the public services of the province. Similar was the case with Bombay and Sind, which are lording over

in the various departments of the East Indian Railway in this Presidency. Punjab, United Provinces and Bihar have become too hot for even the domiciled Bengalis. In the Native States the Bengalis, who once held positions of great trust and responsibility, are now being gradually eliminated and the door of their further recruitment have been shut. The position of the Bengalis both outside and inside their province have become precarious. I think it was Lord Sinha who said that "every one can find a job in Bengal except the Bengalis." It is a truism which none conversant with the real state of affairs in Bengal can deny.

Thousands of our young men are coming out of the universities year after year and are knocking about in Government offices and commercial houses in vain search of employment. Of course, the number of services are limited and it is idle to expect to provide all of them with appointments. But although the services are limited in Government offices, they have been kept open for all, which in the present state of affairs should be reserved for the children of the soil to which they undoubtedly have a legitimate claim. It would not, I think, be out of place to mention that even in the public services of the Government of India, the number of Bengalis is on the decrease, preference being given to other provinces. I would urge on the Government of Bengal to exercise its influence in safeguarding the interest of the Bengalis in those services.

Even in the ministerial and menial appointments of the Government of Bengal, non-Bengalis are gradually becoming predominant. It is a matter of regret that Bengalis have been shut out from various avenues of employment. They are debarred from entering the army which was open to them even up to the decline of the Moghal Empire and the advent of the English into this country. Their military prowess are matters of history. Their claims were totally ignored even in the maintenance of internal peace and order—preference being given to outsiders. The up-country men are now the monopolists in the subordinate ranks of the Police Service. I should urge the Government on the imperative necessity to put a stop to further recruitment of non-Bengalis in the public services of Bengal.

I should now ask the members of this House to pause for a moment and to realise in all seriousness the urgency of having some consideration over this long-felt grievance.

This resolution, Sir, will give Bengal what she justly deserves. Bengal, as you know, Sir, is a province which is foremost among all other provinces in India in resepect of area, population and culture. She has at her back the tradition of coming under the direct supervision of the first Governor-General of India. The first few acres of land which the East India Company, the founder of this vast British Empire in India, had been able to secure from Muhammadan rulers,

in the land of their present adoption, was on the soil of Bengal. From the days of ancient Hindu kings down to the present-day British rule, Bengal has kept her unbroken record of supremacy and importance in her gift of constitutional Government and social culture. Even a few years before her capital, Calcutta was also the capital of the Government of India. But unfortunately, though the capital of the Central Government has been transferred to Delhi, the old custom of providing all-India people in the Government services is still maintained. The local Government is still unmindful of the change which has been brought upon Bengal by the transfer of capital. It is no longer the place of resort for the whole country. Of course, a man should not grudge in providing an outsider who comes to him as a guest but when the guest has his own resources to live upon and a man next door to the host is starving, the first consideration should be given to the next door man.

Every provincial Government has enough means at its disposal to provide the people of its own province if it likes and it, of course, exercises its powers to a certain extent in every other province save in Bengal. When Bihar clamours for Biharis, Punjab for Punjabis. Madras for Madrasis and so on, will not Bengal be taken as a fool if she does not look to her interest? It is high time that Bengal should do something at least of this nature in order to ensure her own interest. She should at least be given a fair chance of providing her people from present-day provincial competitions in order that they may be saved from their imminent starvation. In this matter she is following the footsteps of other provinces and is only taking a last recourse to revive the dwindling life of her people when by circumstances she has no other alternative.

In conclusion, I should like to appeal to my friends, the Hindus and the Moslems, the depressed and the oppressed, the domiciled and the Anglo-Indians, to rise equal to the occasion in demanding justice from the Government in a matter with which all of them are vitally interested in this great struggle for existence.

With these few words, I commend my resolution to the acceptance of this House.

[At this stage the Hon'ble the President left the Chamber and Mr. Deputy President took the Chair.]

MR. P. BANERJI: I beg to move by way of amendment, that in the motion of my friend Munindra Deb Rai Mahasai the words "domiciled in Bengal" be deleted.

My object in doing so is very simple. The question of domicile is unknown in Bengal, and I do not know why there should be such an invidious distinction. Bengal, as has been stated by the mover

of the resolution, should be for the Bengalis; as India is for Indians, so I consider Bengal should be for Bengalis. The question of domicile has been in existence in other provinces. We find that in the matter of appointment, take for instance Bihar, Biharis are only given appointments. But in Bengal when a selection is made the question of domicile is never given a serious consideration. In Bengal people from other provinces get equal opportunities for appointments; but in case of Bengal appointments, I cannot understand why the claim of domiciled people are often neglected. By Bengalis, I mean those persons, be they Hindus, Muhammadans or Christians, who have made Bengal their permanent home and such men should be given appointments. It is in the fitness of things, especially in these days of self-government, that people domiciled in Bengal should be given first preference and should be allowed to manage their own affairs.

As regards appointments of police constables, it has often been contended that men from Bengal do not come forward but we find that sufficient encouragement is not given by Government in order to attract Bengalis of agricultural and other depressed classes to join Government service. From the ministerial and other services also Government have shut out these people by not giving them any encouragement at all. I consider it is the duty of Government in these days of unemployment to encourage the cultivating and other classes who have hardly any occupation by giving them employment under the Government. Recently it was found during the civil disobedience movement that constables from Bihar and other provinces were found wanting in dealing with the local people of Bengal. They found it difficult to cope with the situation. It was then found necessary to invite applications from Muhammadan cultivators for employment as constables, and some were employed; but they were only appointed temporarily during the movement and disbanded afterwards. I consider it would have been much better if these men were permanently employed as they are familiar with the local conditions and have a stake in the country and are not sojourners. I think it is much better to employ these local men instead of filling the pockets of the people of other provinces. This will solve the present unemployment problem to a great extent. For these reasons I hope Government will accept this resolution. I also trust the European group will have no hesitation in accepting it; when they say they are here for a certain policy, and their policy is, I believe, to educate Indians in self-government—by their accepting this resolution their object will be achieved to a great extent. I therefore hope that they will have no hesitation in supporting the resolution that has been moved by my friend Munindra Deb Rai Mahasai.

Babu KHETTER MOHAN RAY: I support this resolution. It is not necessary to inculcate the statutory principle underlying this resolution. People of this province expect that the appointments of the local

Government should be given to those who inhabit in the province. In other provinces, this principle is strictly followed in filling up Government appointments and we hear the cries such as "Bihar for Biharis." "Bombay for Bombayites" and "Punjab for Punjabis." Unfortunately in Bengal we find that the Government do not always follow this principle. Unemployment in its worst form has been astir to ravage our fair province of Bengal, where number of suicides committed by young men in the spirit of despair is going up by leaps and bounds. The problem has been so appalling that a gentleman brought down to abject humiliation due to unemployment went to the length of stabbing his son and was about to kill himself and his wife. All such instances testify to the alarming condition of the country due to unemployment. Yet in spite of the awful state of the country, we find that in filling up some important appointments the Government gave them away to non-Bengalis thereby depriving the children of the soil of their just due. By way of an example I can cite the appointment of a non-Bengali gentleman to the post of the Principal of the Serampore Weaving Institute, though there was available a competent and qualified Bengali candidate for the post. It will not be out of place to give some interesting facts in regard to the said post.

The principalship of the Serampore Institute was lying vacant for more than two years. Since then a non-Bengali gentleman was officiating. When the post was first advertised a certain gentleman Mr. B. C. Bhattacharya, B.SC., sent an application from England (where he was staying for purpose of study) through the High Commissioner for India. He was called for an interview; but as the latter calling for interview reached here after expiry of the date fixed he could not possibly come for interview. The Selection Board made their selection out of the candidates available. But the selected candidate did not join the post and it was advertised a second time. The gentleman who was selected second time did not turn up and the post became again vacant in February last. It should be mentioned here, the non-Bengali gentleman who was officiating as Principal was also a candidate on both these occasions and was not considered fit for this appointment and the choice of the Selection Board fell on other candidates.

5-15 p.m.

Mr. Bhattacharya had put in a fresh application when the post became vacant for the third time in February last. But I regret to say that neither were his claims given the consideration they deserved nor was he given any chance to appear before the Selection Board. Mr. Bhattacharya is an honours graduate in Science of the Calcutta University. After undergoing several years' practical training at the cotton mills of Bombay and Ahmedabad, he secured a State scholarship from the

Government of Bengal in 1926 for Cotton Dyeing, and joined the Manchester College of Technology, where he had a distinguished career for four years. He obtained B.Sc. and M.Sc. degrees in Technology of the Manchester University. He is also an A.M.C.T. (Associate of the Manchester College of Technology) and a member of the Textile Institute and of the Society of Dyers and Colourists of Great Britain. He had two years' post-graduate research experience and had taken a special post-graduate course in Industrial Administration at the Manchester University. Be it mentioned here that this post of Principal of the Serampore Weaving Institute, ever since its creation, has always been held by gentlemen having English qualifications. The Director of Industries actually recommended Mr. Bhattacharya for this post in February, 1931, on the ground of decidedly superior qualifications. He was also recommended by the High Commissioner for India. The testimonials he holds speak eloquently and unmistakably of his ripe experience and undoubted abilities. In spite of his distinguished and high abilities his claims were rejected, and the officiating non-Bengali gentleman, who was twice considered unfit for the post and was recommended neither by the Selection Board nor by the Director of Industries, under whom he served, and who had the best opportunity of judging his merits, was confirmed in the post. If he was a fit man for the post, why was he not confirmed when the post became vacant for the first time and again when it was lying vacant for the second time. Through the wirepulling of the department, a non-Bengali gentleman was pitchforked into the office to the utter disregard of the claims of a most competent gentleman. I am told that the other day a Punjabi gentleman was appointed to the post of Lecturer on Electrical Engineering at the Calcutta Technical School, though there were a host of qualified Bengali candidates for the post. If this is the way in which Government are disposing of important posts, then all I can say is that the meritorious young men of our province have little prospects in the matter of getting Government appointments.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, I have full sympathy with the object of the resolution so far as it relates to future recruitment of ministerial officers from Bengalis or from men domiciled in Bengal for the different departments of Government. Sir, it is well known to everybody how much the people of Bengal have to suffer in securing suitable billets in other provinces, for instance Bihar and Orissa, Assam, Burma, etc. Bihar is for the Biharis, Assam for the Assamese, Burma for the Burmese, and so on, but Bengal is for people hailing from all the other provinces of India. Bengal is practically the "dumping-ground," if I may say so, of the people of the provinces who are given employment in the various departments of Government at the cost of the unemployed youths of the province.

Sir, I feel that the time has come when Government should lay down a definite policy with regard to ministerial appointments. The serious economic distress, which has been prevailing in Bengal since last year, has rendered the problem of unemployment still more difficult, and the situation will be further aggravated if the question is not treated with sympathy and consideration.

I am afraid I am unable to see eye to eye with the hon'ble mover of the resolution so far as the question of menial appointments is concerned. That is a different matter altogether, and I do not think that the unemployment problem is so acute among the labourers and the people belonging to the lower classes as among the middle classes.

We should, therefore, confine ourselves to the consideration of ministerial appointments only and leave the second part of the resolution out of consideration. If my firend, Munindra Deb Rai Mahasai, had deleted the portion which refers to menial appointments, it would not perhaps have been difficult to secure the necessary support for his resolution.

As I have already stated, the position here in Bengal is altogether different from that in the other provinces. Not to speak of appointments in other spheres, the Bengalis are denied the privileges which they enjoyed before in the sister provinces. It is not perhaps known to many that the Bengalis are not allowed to purchase even a small plot of land in Shillong or to settle down there. This policy has been pursued by the Government of Assam for over a decade. This is also the case in Burma, where a strong feeling exists against the Bengalis.

Sir, in view of these circumstances, I have no hesitation in supporting the resolution.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I believe that the resolution will have unanimous support from the House—from officials as well as non-officials. I shall deal with the subject from a different aspect. In connection with appointments to the Police Department and the Jail Department, the general feeling in the country is that the appointment of people from outside Bengal is not merely an economical question but is a question which concerns the self-respect of the people of this province. Sir, we are told that people have to be imported from England for holding appointments at the top in order to give a British tone to the administration. The steel-frame at the top is to be strengthened by recruitment in England: the steel-frame at the bottom is to be strengthened by recruitment of members of the police force from outside the province! Sir, I hope, now that the idea of federal government is gaining strength, this aspect of the question will receive the serious attention of Government. If the children of Bengal have no position in the United Provinces, Bihar

or other places, what claim have the people of those provinces got on us? Sir, Government say that suitable candidates are not forthcoming. I ask, who is to blame for this? Why do you not take steps so that the inhabitants of this province may become fit to take up these duties? My friend says they are already fit. I am not prepared to go to that length. I do not say that under present conditions the pay of the constables will attract many people from this province. But if necessary, the pay of the constables may be increased. (A VOICE: More police expenditure.) Appoint more intelligent men and reduce the number. The resolution has been brought forward at an opportune moment: it concerns practically all sections of the people of this province, and should receive the unanimous support of the House.

Mr. ANANDA MOHAN PODDAR: Sir, in supporting the resolution brought forward by my hon'ble friend Munindra Deb Rai Mahasai, I beg to submit at the very outset that I do not do so from any spirit of provincial bias or racial jealousy. If I support it I do so, only in the hope that this may give the children of the soil some opportunity of solving the problem of unemployment, and to have a better share in the administration of the province.

Sir, the problem of unemployment has become more acute owing to the dire economic distress prevailing in the country at present. There is hardly a middle class family in Bengal in which some of its educated young men are not passing their days in idleness and cursing their lot in utter disappointment. You can well imagine the feeling of these young men, who after completing their education in Universities, among whom you will find some of the finest intellects, full of high hopes and sunny aspirations, going from door to door with applications in their hands, simply to meet with rebuffs and disappointment.

Sir, it is said that the system of education we receive in our universities has made us a nation of clerks. But to our utter misfortune that clerkship even is not within our easy reach at the present moment. It seems, as if, instead of going ahead, we are falling back in the forward march of every-day life. In every province of India there is a cry for reserving the Government employments for the inhabitants of that particular province; but that is not exactly the case in Bengal. The gates of Bengal are open to all and in fact the problem of unemployment is growing acuter day by day.

Time has come when we should cry halt and pause for a moment to save our young hopefuls from distress and ruin. The menial appointments also should be thrown open, exclusively to the children of the soil and persons domiciled in Bengal.

With these words I accord my whole-hearted support to this resolution.

Sir LANCELOT TRAVERS: Sir, I support in some degree the principle underlying this resolution. I oppose the resolution and the amendment still more, though I agree with the mover that in regard to minor appointments—ministerial and menial appointments—it is as a rule most desirable that they should be filled by Bengalis. At the same time, Sir, this resolution is extremely drastic: it says that none but Bengalis or men domiciled in Bengal should in future be recruited.

Now, the first point that strikes me is that there may be appointments involving technical qualifications, where we may be unable to find a Bengali with those qualifications. We may have to take an Indian other than a Bengali or even a poor Britisher possessing those qualifications, and such an appointment may be in the benefit of the province. That is one consideration. Another consideration is that for some appointments under the Government of Bengal it may not be possible to obtain Bengalis at all, and that Government may be obliged to fill such appointments with persons who are not sons of Bengal. One other point that comes to the surface is that if this resolution be carried out to the letter, it might cut both ways. I believe I am right in saying that there are a considerable number of Bengalis employed in the neighbouring Province of Assam. If non-Bengalis are shut out from employment in this province, then it is quite possible that the people of Assam may resent the appointment of Bengalis in that province.

5-30 p.m.

The question is whether appointments should be considered from a provincial point of view or from an all-India point of view. I should much prefer, Sir, that the resolution were worded "citizens of Bengal" rather than "Bengalis" only. I should like to inquire from you, Sir, if under the terms of the resolution as at present framed, I should be considered fit for employment under the Government of Bengal. My family and I have served in this country for 165 years and it would seem rather hard that, because I do not have Bengali blood, I should be debarred from any employment in this province. I put the above, Sir, as an illustration of the severity with which such a resolution will tell upon some people, and I think it would be unwise for this Council to adopt a resolution as drastic as the one now before the House.

Maulvi SYED JALALUDDIN HASHEMY: I rise to support the resolution of Munindra Deb Rai Mahasai. I must say at the outset that I oppose the amendment of Mr. Banerji and I am sure he will withdraw his amendment. In supporting the resolution of Rai Mahasai, I am very glad to say that I do not know anything about ministerial officers, but I have no doubt that every one will agree that in Bengal ministerial officers will only be Bengalis. If I am right in

the interpretation of menials that it includes constables of the Police Department and jail warders of Bengal, I can say that it has done and will do much harm to the people of Bengal. I can say that I have personal experience that in jails generally about 99 per cent. or in some cases almost cent. per cent. of jail warders are non-Bengalis. Their language, their dialect, their career and everything relating to them are different from that of Bengalis. I know prisoners of long terms of 5 or 10 years, who, after they have lived in a jail, particularly in the Alipore Central Jail, forget their mother tongue and their own dialect because they are forced to speak in the language of the warders. I know these warders are recruited from outside Bengal, they come here to make money and their methods of work inside the jails are really objectionable and I suggest that Bengali warders be recruited for the purity and efficiency of administration, because I know that smuggling inside jails is mainly due to warders being recruited from provinces outside Bengal. As regards the Calcutta police constables I can say this much that they are really the rowdy element, they create more *golmal*, they create more disturbance than the people who are generally concerned in these disturbances. I can say, in supporting this resolution, that if any Indian in the future constitution of this country gets the honour of becoming Member in charge of the Police Department, I can assure the House that he should surely purge the Calcutta Police of these Hindustani constables particularly. In the mufassal, far away from the Calcutta Police, far away from the headquarters, in almost all thanas, I can speak of Khulna, constables are recruited from people who are not Bengalis and the proportion is now generally 75 and 25 per cent., respectively and as recruitment is going on I am sure that within the course of the next 5 years the proportion will be 50 per cent. I have experience of many things in my practical life. In certain mufassal districts of Bengal I have invariably found that Bengali constables, be they Hindus or Muhammadans, are more polite, more gentle, more courteous and they can deal with the people of the locality more efficiently than the Hindustani constables and in general I say, I declare and proclaim to this House that constables who come from outside this province take more bribe than constables who belong to this province. Therefore I will request the Member in charge of the Police Department to consider these matters only for the purity and efficiency of the administration and to take the suggestion of Rai Mahasai and accept the resolution.

Babu SATYENDRA KUMAR DAS: In support of the original resolution I would submit that in view of so much talk that is going on now-a-days about Indianisation and also in view of the fact that there is no dearth of efficient and active men in Bengal for filling up vacancies either in ministerial or menial appointments of the Government of

Bengal every one of the House should lend his full support to such a resolution which has been so ably moved by the hon'ble mover. In these days of economic distress it is a matter of deep regret that while our labouring classes, who are the sons of the soil and who are starving, should not get preference to the people hailing from outside Bengal in the matter of menial appointments under Government. And it is also a great pity that with so many of our graduates sitting idle for want of employment, ministerial vacancies should be filled up with men from the provinces other than Bengal. Has Calcutta or Dacca University so much deteriorated that it fails to produce graduates who are not fit to fill up vacancies in all the offices of Government? Certainly not. Are the labouring classes unfit to do menial works in the offices? I say, no. Go to Chittagong, see all the peons and bearers there who are poor Muslims. Even in the Calcutta Secretariat you will find a good many chaprasis who are the children of the soil and belong to the same community. Then, Sir, why should the Government go to appoint persons who do not belong to this province? I would urge Government to lay down a policy for filling up all vacancies, high or low, with the people of the soil. With these words, I beg to support the resolution.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I am afraid that in discussing this resolution previous speakers have been carried away more by sentiment than by a proper consideration of the practical difficulties which arise in a matter like this. The difficulty in this connection is of a practical nature. While I fully sympathise with the resolution that Bengalis only should be appointed to all appointments in Bengal, there are obvious reasons which make it very difficult to pass a drastic resolution like this. If it comes to voting, it will be difficult to go against the resolution; yet I must make the position clear. This resolution proposes that all appointments including ministerial and menial should be given only to the people of Bengal. So far as ministerial appointments are concerned there will probably be no difficulty; I do not know of any district where ministerial officers are recruited from any community other than Bengalis. As a matter of fact not only Bengalis are appointed but care is taken to appoint men of that particular district. But when we come to the appointment of menials a real difficulty arises, e.g., the recruitment of police constables and jail warders. The Jail Committee made a recommendation that as far as possible Bengalis should be recruited to the menial appointments in the Jail Department, but it has been our experience that it is impossible to get Bengalis to come and serve in that capacity. The duties of the jail warders are so arduous that ordinary Bengalis of the *bhadralok* class or of any class for the matter of that, do not like to accept such appointments. Mr. Shanti Shekhareswar Ray dilated a good deal on this point, but may

I ask him whether in his own zemindari he does not employ up-country men, men who do not belong to this province, as durwans and peons?

Mr. SHANTI SHEKHARESWAR RAY: We always try to take Bengalis in our zemindari.

Khan Bahadur MUHAMMAD ABDUL MOMIN: He always tries to take Bengalis, but can he say that there are no up-country durwans in his employ. As a matter of fact not only do the zemindars employ up-country durwans but I think I shall not be wrong when I say that in most Hindu households the domestic servants are up-country men. The cooks generally are not Bengalis, but Uriyas and kahars and others from Bihar, are employed as menials. I accept the principle of the resolution and I give this credit to Government that they attempt as far as possible to recruit from Bengal. We also find that except one or two cases, in the Reserved Armed Police, Bengalis will not come, and that also in two or three districts like Noakhali and Chittagong and some portions of Khulna and Barisal. From other districts of Bengal for instance, Burdwan and Rajshahi, no Muhammadans or Hindus will probably like to be enrolled as a constable or a warder.

As regards the amendment, I am entirely opposed to it. Mr. Banerji wants to delete the word "domicile." That will have the effect of excluding, not only Anglo-Indians who are domiciled in Calcutta and other places, but also a very large number of Muhammadans as well, and perhaps other people who may not be originally residents of the country but may come and settle down afterwards in Bengal. For these reasons I oppose the amendment.

Babu KISHORI MOHAN CHAUDHURI: I am very sorry I have to oppose the resolution. We should be very careful before we pass a resolution like this. I may say at the outset that so far as ministerial officers are concerned they are as a matter of fact taken from the inhabitants of this province except in a few exceptional cases.

As regards menials we cannot avoid appointing up-country men and others for our domestic households. Neither can we avoid taking up-country men for our police constables.

5-45 p.m.

My friends are very anxious that this resolution should be accepted for the solution of the unemployment problem. I do not think that the real issue would be solved by giving a few appointments under Government to our young men. We know very well that whenever there is a vacancy on Rs. 30 or Rs. 40 hundreds and thousands of

applications are forthcoming. In the matter of appointments we should not encourage communalism. It is better for efficient administration that men of higher qualifications should be appointed. Perhaps my friends are anxious to help those who are struggling to get some appointments. I think, however, that if the circumstances require, men possessing higher qualifications should be appointed.

As regards the appointment of menial servants, I do not know what we should do if we dispense with the Uriya cooks and Uriya servants and also up-country menials. If we cannot do so, then why should we urge upon Government that it should be done in the case of Government appointments. Suppose, for instance, there is a well qualified Marwari, who though not a domiciled Bengali, for some reason or other may apply for a particular appointment. I think he should be appointed; otherwise a bad feeling would be created amongst the Marwaris whose help we have to seek in many cases. So, I think, the acceptance of this resolution will not solve the real question of unemployment or help us much. On the other hand, as I have said, it will create a spirit of communalism which is not in the best interests of the country. I think we should not follow the other provinces in this matter, rather we should set up an example which may be followed by the other provinces. To my mind the resolution is such as cannot be accepted. I am, therefore, sorry to oppose it.

Sir JADUNATH SARKAR: Sir, I beg to oppose the resolution. I have served in two other provinces in addition to Bengal, and my experience in those two provinces has been that this policy of discriminating between the so-called natives and the domiciled people of a province is really very harmful to the people in general. The greatness of Bengal is due to the fact that during the past she had always thrown her doors open to talent of every kind and to men of all parts of the world. If we adopt this resolution, which is inspired by the narrowest and blindest spirit of parochial patriotism, we shall be digging our own graves.

Maulvi SYED NAUSHER ALI: Sir, I say at once that I cannot accept the amendment, as it seems to me to be absolutely unjust and unfair to people who may be domiciled in Bengal to be excluded from service in Bengal.

Mr. P. BANERJI: When domiciled they will be Bengalis?

Maulvi SYED NAUSHER ALI: Then the amendment is superfluous, redundant, and absolutely unnecessary and meaningless. However, it is clear that if we pass this resolution to-day in this House and effect is given to it, there is bound to be similar resolutions in other provinces and those resolutions will be given effect to. Then what will be the net result? It will be that men coming from Bihar but domiciled

in Bengal will be debarred from getting appointments both in Bengal and Bihar. They will be nowhere. It is, therefore, unjust. From this point of view, I think, we can under no circumstances accept the amendment of Mr. Banerji.

There is another point, Sir, raised by Sir Lancelot Travers. He has said that his family has been in Bengal for 165 years————

Sir LANCELOT TRAVERS: In India.

Maulvi SYED NAUSHER ALI: I stand corrected, Sir. His family has been in India for 165 years and I take it much good has been done by his family to this country—not only to Bengal but to the whole of India. My reply is that if he does not like to be domiciled in Bengal he has no right whatsoever to any service. If he cares to be domiciled in Bengal, then the door is open to him, to his family, to his children and grand-children. That is my simple answer. He may be living in this country for the sake of profit for hundreds or thousands of years and he may be carrying on his business for profit, but if he hates to be called a Bengali or an Indian, I must say he has got no right whatsoever to any service in Bengal or for the matter of that in India. That finishes my arguments with regard to the amendment.

I will now come to the resolution itself. Unfortunately to-day Bengal has got to be exclusive in its nature. Bengal has so long thrown its door open to every man from all parts of the world practically. It seems to me that it has got a historical as well as an economic origin. The historical origin is this; in Bengal, here in this town we had the metropolis of India and consequently people used to flock to this place from different parts of India for service and for many other purposes. Bengal was hospitable enough to extend her helping hand to everybody who came for help. It received everybody as if he were an honoured guest, from the meanest to the highest. Perhaps this resolution would not have been tabled to-day in this House but for the economic distress through which the country is now passing and the transfer of capital from Bengal. Sir, I am going into the economic side of the question. We all know that Bengalis of the lowest strata do not like to be durwans or constables, and what is the reason? The reason is that Bengal has plenty of milk and food and the people do not feel the necessity of serving for Rs. 17 or Rs. 19, and that is the reason why people from up-country flock to Bengal for service. But if now Bengalis choose to serve it is because circumstances have changed and people are starving in Bengal, and that is why it has become necessary for us to be a little bit more exclusive and less hospitable, and that is why this resolution has been tabled to-day. I think that every one in this House will agree that so far as the spirit of the resolution is concerned, it is absolutely right and we welcome it. I must confess, however, that its wording is not quite happy, because it proposes a drastic measure, which, as Khan

Bahadur Abdul Momin and Sir Lancelot Travers have pointed out will create difficulty in actual working. So I would propose with your permission, Sir, to move a short-notice amendment and I hope it will be acceptable to the whole House.

Babu SATISH CHANDRA RAY CHOWDHURY: May I move another short amendment?

Maulvi SYED NAUSHER ALI: I have not yet finished my speech. I had something more to say, but I do not wish to take more time of the House. I understand Mr. Satish Chandra Ray Chowdhury wants to move an amendment. Let us wait and see whether that amendment is reasonable and if it can be acceptable.

The Hon'ble Mr. W. D. R. PRENTICE: I think it will help members if I explain what the exact position in Bengal is, as I am sure they will then be satisfied that the principle of this resolution has already been accepted by the Government of Bengal and embodied in our rules The services in Bengal consist of all-India Services, Provincial Services, officers holding special posts and subordinate services. The rules regarding all-India Services are framed by the Government of India and we are not responsible for them. One speaker has observed that in those services there are very few Bengalis. In passing, I may say that this is a matter to which I have drawn attention on several occasions lately, and it is a matter which causes Government considerable anxiety. But this is due entirely to the failure of Bengalis to compete successfully in open examinations with the graduates of other provinces, and is not due to any fault of Government. I think I am correct in saying that in the last competitive examination for the Indian Civil Service, the first Bengali candidate stood twenty-second on the list. In practically every open competition in India, Bengalis fail to get the top places and qualify for recruitment. But this is entirely the fault of the Bengalis themselves, and Government are not responsible.

Then we come to the Provincial Service. There are recruitment rules for the Provincial Service, and the rule as regards domicile is as follows:—

> "Save in the case of such services as are shown or hereafter by notification in the *Calcutta Gazette* shall be included in column 1 and to the extent shown or by notification in the *Calcutta Gazette* hereafter to be included in column 2 of Schedule 5, no person shall be eligible for appointment to a Provincial Service who is not either a native of Bengal, or permanently domiciled in Bengal. Evidence as regards domicile shall be carefully scrutinised."

Schedule V attached to these rules shows the services in which exemption is allowed as regards domicile. They are mainly the technical services for which experience has shown that suitable candidates from Bengal are not always available and therefore for those services people who are not permanently domiciled in Bengal or Bengalis can be recruited.

In the Rules relating to Special Posts, there is a rule under which "no candidates will be recruited by direct appointment to any special post shown in column 1 of Schedule V except in conformity with the conditions regarding domicile laid down in column 2 of that Schedule. Evidence regarding domicile shall be carefully scrutinised." There again we find in the Schedule V attached to these Rules that wherever possible, the appointments are to be made from among persons domiciled in Bengal.

Coming then to the subordinate services, these services are numerous; but in this discussion, I shall only refer to the cases of ministerial officers, menials, police constables and jail warders. As regards the ministerial officers in reply to a question asked a day or two ago, I stated that normally recruitment of ministerial officers was done in the districts, and I think it will be corroborated by the members of this House that normally our ministerial officers are Bengalis or persons domiciled in Bengal.

As regards menials, the question is, can you get all the menials you want in Bengal, and are they willing to do the work? If they are forthcoming, Government have no objection to appointing them. But I think most people will admit that the people you want are not available in Bengal. Then as regards the police. We have on various occasions stated in Council that we are only too willing to recruit local people if they are forthcoming and if they can fulfil the conditions for recruitment. The report of last year's administration of Bengal shows that the local recruits numbered 552 as compared with 457 in previous years, or about one-third of the total number of recruits. There is a steady rise in the number of local recruits and so long as suitable men are forthcoming in sufficient numbers, we shall certainly recruit them; but if they are not available, then we must go outside the Province for them.

As regards warders, experience has shown that we have not been able to obtain in Bengal the class who would be able to stand the physical strain that is required if the warders are to be kept up to the required standard. We cannot get suitable warders in Bengal; and we cannot do without warders, and so we must go outside.

I think I have shown that under our rules and in practice we have followed the principle of the resolution so long as we are able to recruit in Bengal men possessing the qualifications required in the various services. We cannot leave posts vacant merely because we are unable to find local men qualified to fill them, and so we cannot accept this

resolution that we shall in future recruit none but Bengalis or men domiciled in Bengal, because that will mean that many posts will have to be kept vacant so long as suitable Bengalis may not be available. I hope after this explanation, the mover of the resolution will withdraw his resolution being satisfied that in point of fact Government is already doing all it can to secure the object which he desires.

Babu SATISH CHANDRA RAY CHOWDHURY: I beg to move, by way of amendment to the resolution of Munindra Deb Rai Mahasai, that after the words "domiciled in Bengal" the words "if they are available" be inserted.

This will bring the Government into agreement with the resolution. For myself, I do not think that there are any difficulties in the matter.

Maulvi SYED JALALUDDIN HASHEMY: I object to it.

Mr. DEPUTY PRESIDENT: As there has been objection, I do not allow the amendment.

MUNINDRA DEB RAI MAHASAI: After what has been said by the Hon'ble Member, I beg leave to withdraw my resolution.

The motion of Munindra Deb Rai Mahasai was then, by leave of the Council, withdrawn.

The following resolution was called but not moved and therefore deemed to be withdrawn:—

Maulvi ABDUL HAMID SHAH: "This Council recommends to the Government to convey to His Excellency the Viceroy and the Prime Minister the wishes of the Council that all the political prisoners convicted in cases not involving violence be released by a general amnesty."

The following amendment failed:—

Mr. P. BANERJI to move, by way of amendment, that in the motion of Maulvi Abdul Hamid Shah, line 4, after the word "violence" the words "and all persons detained without trial" be inserted.

Transmission cost of landlords' transfer fee.

Babu HEM CHANDRA ROY CHOUDHURI: I beg to move that this Council recommends to the Government to take steps to reduce the rate of transmission cost of landlords' fee realisable under the Bengal Tenancy Act, 1885, as amended by Bengal Act, IV of 1928, so that there may not be any unreasonable excess in the amount actually realised for the purpose after meeting all necessary expenses.

Sir, under the amended Bengal Tenancy Act the duty of transmitting landlord's fees has been imposed upon the Government; and to meet the expenses, the Government is empowered to make rules fixing the amount of transmission cost to be levied. The Government has in case of each transfer levied the cost at 10 per cent. of the transfer fee subject to a minimum of annas 8. But under the rules in most of the cases, transfer fees are not transmitted to the landlords by postal money order, e.g., where there are joint landlords having no common agent, where transfer fees are payable to the Government, to estates managed by the Government—where a personal ledger has been opened in the Collectorate. But the rate of cost is the same as in the case of a sole landlord where the Government has to incur more in transmitting the fees to him per money order.

The other day we have heard from the Hon'ble Member that within this short period from April 1929 to March 1931 more than Rs. 37 lakhs of transfer fees have accumulated in the different collectorates of the province. But the Government has realised full cost for that huge amount also. There are also other instances of inequities.

No difference has been made between large and small transactions. The difference of cost in such cases is very small in comparison with the difference in the amounts of costs realised. Let us examine instances of two transfers— in one case landlord's fee is Rs. 500 and in another case the fee is Rs. 50 only. Then the cost realisable in one case will be Rs. 50 and in other case Rs. 5 only. The clerical work being the same, the only difference between the costs to be incurred in those cases is that of the money order commissions. But the difference is almost negligible in consideration of the large difference in the amount of cost realisable under the rules.

There are another set of cases where money order cost is not to be incurred twice but only once. Usually money order commission is paid twice—once for sending fees from the Sub-Registrar's office to the Collectorate and again from the Collectorate to the landlord. But in case of court sales and where documents to transfers are registered in the Sadar Sub-Registrar's office transfer fees are not required to be sent to the Collectorate by money order. An intimation is sufficient for the purpose.

Sir, what is the probable result of all these anomalies. The result will be that the Government should have a huge surplus and that is also supported by what we have been given to understand during the last session with an assurance that the rules would be revised.

But I was surprised to learn last evening that the present rate of cost has proved to be too low to cover the necessary expenses. In view of what I have already said, and that money order commissions

of more than Rs. 37 lakhs of transfer fees, which could not be transmitted to the landlords by money order, were saved, one cannot be persuaded to believe that the Government has been running a losing concern. The alleged loss must be due to the clever manipulation of the account by the Account Department. I would therefore request the Hon'ble Member to place on the table a detailed account of actual receipt and expenditure for scrutiny and satisfaction of the public.

If the Government be not agreeable to the proposal, the legitimate inference will be that there is something wrong in the accounts and the public are therefore justified in asking the Government to reduce the current rate which is evidently, and has proved to be, too high.

With these few words, I commend my resolution to the Council for its acceptance.

Rai Bahadur KAMINI KUMAR DAS: Sir, under the Bengal Tenancy Act, section 12, we first come across the "process fee" and the landlord's fee of the voluntary transfer of permanent tenure and in section 18 we come across the provisions for transfer of the raiyati holdings. In section 26C the manner of transfer and notice to landlord has been provided for and section 48H and subsequent sections have provided for the cost of the under-raiyats. If a land is sold, say for Rs. 2,000, the landlord's fee would be Rs. 400 at 20 per cent. Besides this there will have to be paid by the purchaser in court fee Rs. 40 being cost of transmission fee at 10 per cent. Besides these there will have to be paid Re. 1 as process fee to one landlord or a group of landlords. Such cost in ordinary case would be Rs. 4 only. Money order commission in the case of a single landlord when there are more landlords they are to come either personally or appoint a common agent.

Besides there is establishment costs of maintaining a Sub-Deputy Collector; his clerks and menials according to the nature of collection.

In all cases Re. 1 is realised as process fee to landlords, but in generality of cases Government spends only 6 pies in stamp per book post to send the process. In Chittagong Government is the landlord with an income of about Rs. 12 lakhs at present. These lands are mostly at Cox's Bazar where people are going to be poorer day by day. So transfer is more frequent.

In case of transfer of the Noabad land the landlord's fee is 20 per cent., transmission fee 10 per cent. and process fee remains the same when there is no such necessity and Government gets all these amounts.

In the year 1929 in the district of Chittagong alone the—

	Rs.	A.	P.
Transfer fee was about	28,919	13	6
Costs of transmission	3,116	13	0
Process fee	1,855	8	0
Landlords' fee	17,054	15	0
Costs of transmission	6,476	14	0
Process fee	14,125	0	0
	*71,548	15	6

	Rs.	Rs.	A.	P.
Deduct—				
Establishment charge is likely to be the salary of a Sub-Deputy Collector at the rate of Rs. 150 per month (150 × 12)	1,800			
Two clerks at 100 × 12	1,200			
Three menials at 50 × 12	600			
Contingencies	400			
		4,000	0	0
		67,548	15	6

* In court-fee stamps.

In the year 1930—

	Rs.	A.	P.
Transfer fee	63,542	11	0
Costs of transmission	6,764	14	6
Process fee	4,197	0	0
Landlords' fee	20,399	12	0
Costs of transmission	9,423	11	0
Process fee	18,772	0	0
	1 24,090	0	0
Deduct Establishment charge	4,000	0	0
	1,20,090	0	0
In 1929	67,548	15	6
	1,87,638	15	6

We therefore find that in the years 1929 and 1930 there is a saving of Rs. 1,87,638-15-6.

From the figure above, I can show you roughly that in the course of these two years after the amended Act IV of 1928 B.C. in Chittagong above there is a saving of so big an amount and similar must be the cases in other districts of Bengal. So without encroaching upon your valuable time I can at once hope and submit with confidence that you will have no hesitation in supporting the resolution of our hon'ble friend, Babu Hem Chandra Roy Chowdhury, to take necessary steps for reducing the rate of transmission costs of landlords' fee realisable under Bengal Tenancy Act.

6-30 p.m.

Maulvi ABDUL HAKIM: Sir, I rise to support the resolution moved by my colleague, Babu Hem Chandra Roy Chowdhuri, regarding the reduction of transmission fee realised in the registration offices. It has been found from experience that since the passing of the Bengal Tenancy (Amendment) Act, a very large amount of this transmission fee has been shown as excess money, not only in my own district, but also in other districts of Bengal.

The transfer fee or salami enacted by the Amended Bengal Tenancy Act is already an unbearable burden upon the tenants, yet again this transmission fee has been made another burden upon the said burden. The tenants of Bengal are thus placed between two heavy pressures and unless these pressures are removed neither the tenants will get any relief nor the registration offices will regain their normal economic condition. It is the towering landmark in the administration of Bengal that the land laws and registration laws have been framed, not to improve, but to impoverish the economic condition of the agricultural people of Bengal; and if these laws are not changed, these poor agriculturist people will be ruined in a short time. Owing to the recent drastic changes in these laws the income of almost all the registration offices of Bengal has become deplorable; and if the situation does not improve, it is supposed that many registration offices will be abolished in a short time. Many members of this Legislative House will be astonished to hear of the cost of taking copies of documents in the registration offices of Bengal.

Adjournment.

There being no quorum present the Council was adjourned at 6-35 p.m. till 3 p.m., on Friday, the 31st July, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Friday, the 31st July, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 105 nominated and elected members.

Starred Questions

(to which oral answers were given).

Waqf Estates.

*97. **Maulvi ABDUL GHANI CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state how many waqf estates are there in the different districts of Bengal?

(*b*) How many of them are under the direct management of Government?

(*c*) What is the total income of those referred to in (*b*)?

(*d*) What is the total revenue collected from them?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) Government have no information.

(*b*) Government do not manage any waqfs as such. They manage the following three trust estates:—

(*1*) Syedpur Trust.

(*2*) Afanulla Trust.

(*3*) Punna Miah Trust.

(*c*) Rs. 2,13,621.

(*d*) Rs. 95,590 from the Syedpur estate. Nil from Afanulla Trust as it consists of tenures. Nil from Punna Miah Trust as it is principally securities.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state if any record is kept in his department of waqf estates? If not, will he be pleased to state why no record is kept?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It is impossible to keep a record of these estates.

Maulvi ABUL KASEM: In reply to question (*a*) the Hon'ble Minister has said that Government have no information. Is not the Hon'ble Minister aware that in his office there is a record of Muhammadan waqf estates in Bengal?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No, I am not aware. I shall be glad if the hon'ble member will please let me know how I can get it.

Maulvi ABUL KASEM: You can get it from the office of the Director of Public Instruction; from the report of the Waqf Committee of 1887.

Co-operative Central Banks in the Dacca Division.

***98. Maulvi MUHAMMAD HOSSAIN:** With reference to rule 13 on page 9 of the Government notification No. 9564 Agri., dated the 8th November, 1920, will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to lay a statement on the table showing—

(*i*) the name or names of the directors from preference shareholders and also from societies, if any, from 1920 to 1930 of all the co-operative central banks in the Dacca Division and that at Barisal in particular, who held office as such for more than three years in succession or having held office for two years or more, were reappointed before two years from the date on which they last ceased to be members;

(*ii*) the proportion of such number of directors, if any, to the total number in each case appointed during the above specified period; and

(*iii*) the latest substitution, if any, with the dates of such substitutions of the names of nominees, heirs and legal representatives as the cases may be, on the death of preference share-holders of the co-operative central banks in the Dacca Division?

MINISTER in charge of AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Khan Bahadur K. G. M. Farequi): (*i*), (*ii*) and (*iii*) The information wanted is not readily available and the labour involved in collecting this will be excessive and the Government are not prepared to undertake it.

Cess Revaluation Proceedings in Faridpur.

*99. **Maulvi TAMIZUDDIN KHAN:** Will the Hon'ble Member in charge of the Revenue Department be pleased to state what decision, if any, has been arrived at, with regard to the following questions concerning the cess revaluation proceedings in the district of Faridpur—

(*i*) suspension of proceedings in view of the widespread economic distress prevailing in the country; and

(*ii*) equalisation of the incidence of assessment in the different parts of the district as far as possible?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*i*) It was decided that proceedings should continue only in respect of certain estates in which there is likely to be a substantial increase in valuation and that, if economic conditions did not improve, it would be decided later from what date effect should be given to the revaluation of these estates.

(*ii*) In certain estates the revaluation has been revised in order to effect such equalisation. The question is being further examined by the Hon'ble Member of the Board of Revenue at Faridpur.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state in what other districts such revaluation proceedings have been undertaken or are proposed to be undertaken this year?

The Hon'ble Sir PROVASH CHUNDER MITTER: I ask for notice.

Travelling allowances drawn by certain Executive Officers of the 24-Parganas district.

*100. **Maulvi MUHAMMAD SAADATULLAH:** Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a statement showing, subdivision by subdivision, the amount of travelling expenses drawn by the Subdivisional Officers, Sub-Deputy Magistrates and the Circle Officers posted in the different subdivisions of the district of the 24-Parganas during the year 1930-31?

The Hon'ble Sir PROVASH CHUNDER MITTER: A statement is placed on the table.

Statement referred to in the reply of starred question No. 100, showing the amount of travelling allowance drawn during the year 1930-31.

Name of the subdivision.	Subdivisional Officer.	Sub-Deputy Magistrate and Sub-Deputy Collector.	Circle Officer.	Total.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1. Sadar (Alipore)	1,992 14 0	....	2,700 0 0	4,692 14 0
2. Barrackpore ..	1,210 1 0	478 14 0	661 2 0	2,350 1 0
3. Diamond Harbour	980 2 0	396 13 0	958 14 0	2,335 13 0
4. Basirhat ..	1,887 3 0	316 9 0	1,163 5 0	3,367 1 0
5. Barasat ..	1,257 13 0	342 3 0	636 2 0	2,236 2 0
Total ..	7,328 1 0	1,534 7 0	6,119 7 0	14,981 15 0

Facilities for the students of the backward classes in the Medical College, Calcutta.

***101. Mr. SARAT CHANDRA BAL:** (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that there are some students of the depressed and backward classes who are at present reading in the Government Medical College, Calcutta?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the names of the students who are at present reading in the Calcutta Medical College; and

(*ii*) the names of the students who applied for scholarships and how many of them have been able to secure such scholarships?

(*c*) Is the Hon'ble Minister considering the desirability of reserving some seats and scholarships for the students of the backward classes of Bengal?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) Yes.

(*b*) (*i*) A list of 39 names has been furnished by the Principal. Government are not prepared to publish the names of College students when these in themselves do not appear to be a matter of public interest, but would be quite willing to let the member see the list.

(iii) No application has been received for a special scholarship for some years. The ordinary scholarships are not granted on application, but awarded as the result of competitive examination.

(v) As regards the reservation of scholarships Government will consider the question.

As regards the reservation of seats it is not at present proposed to make any change in the policy laid down in the Local Self-Government's letter No. 336, dated 8th June, 1926, an extract from which is appended. Government consider that representation of the depressed classes on the Selection Board should meet the case.

Extract from a letter referred to in the reply to clause (c) of starred question No. 101.

No. 336 T.-Medl., dated Darjeeling, the 8th June, 1926.

From—J. G. Drummond, Esq., I.C.S., Secretary to the Government of Bengal, Local Self-Government Department,

To—The Surgeon-General with the Government of Bengal.

I am directed to state that representations have been made to Government asking for the reservation of a certain number of seats in the Medical College, Calcutta, for members of backward communities. The Governor in Council is not in favour of extending the system of favouring special classes so far as the Medical College is concerned, and he does not think that there should be any departure from the general principle of admitting only the best students who are most likely to profit by the College course. It has been represented to Government that it is a wasteful policy to admit students who are not intellectually strong enough to go through the whole course successfully and who are likely to drop out by the way. Members of backward communities have of course the same chance of admission as others if they are otherwise qualified.

Backward classes in the Bengal Secretariat.

***102. Mr. SARAT CHANDRA BAL:** (a) Will the Hon'ble Member in charge of the Finance Department be pleased to lay on the table a statement showing for the years 1920 to 1930 the names and qualifications of persons belonging to the backward classes appointed in any department in the Bengal Secretariat?

(b) Will the Hon'ble Member be pleased to state whether it is in the contemplation of the Government to make any appointment from the backward classes in the near future? If so, when?

(*c*) Is the Hon'ble Member aware that often qualified candidates from that class fail to get appointment in the Secretariat?

(*d*) Are the Government considering the desirability of reserving some posts for the backward classes in any department of the Bengal Secretariat?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) A statement is laid on the table.

(*b*) The matter is under the consideration of Government.

(*c*) and (*d*) No.

Statement referred to in the reply to clause (a) of starred question No. 102 showing the names and qualifications of Secretariat assistants belonging to backward classes who were appointed during 1920 to 1930.

IRRIGATION DEPARTMENT.

(1) Haridas Karmakar—Passed I.A. Examination.

(2) Santosh Kumar Karmakar—Passed B.A. Examination.

REVENUE DEPARTMENT.

(1) Jugol Kishore Deyashi—Passed B.A. Examination.

PUBLIC WORKS DEPARTMENT.

(1) Jatindra Nath Mondol (deceased)—Read up to 4th class of High English School.

(2) Kanai Lal Khan—Read up to 4th class of High English School.

(3) Manindra Nath Das—Read up to Matriculation Examination standard.

Forecasts on jute crop.

***103. Rai Bahadur KESHAB CHANDRA BANERJI:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether it is a fact that the final forecast on jute crop in Bengal is usually published in the fourth week of September?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons why the final forecast for 1930 was published on the 3rd of September, 1930?

(c) Will the Hon'ble Minister be pleased to state—

(i) who is responsible for the district acreage figures, the District Officer or the Director of Agriculture;

(ii) whether the Director of Agriculture is empowered to revise the district acreage figures without the consent of the District Officer concerned; and

(iii) whether any Association or Company interested in jute was consulted about the change in the date of publication of the forecast?

(d) If the answer to (c) (iii) is in the affirmative, will the Hon'ble Minister be pleased to mention the names of the Associations or Companies consulted?

(e) Will the Hon'ble Minister be pleased to state whether it is a fact that the forecasts on jute crop in the provinces of Bihar and Orissa and Assam are published through the Director of Agriculture, Bengal?

(f) If the answer to (e) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Director of Agriculture, Bengal, is bound to accept the figures supplied by the Directors of Agriculture, Bihar and Orissa and Assam?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: (a) Yes, on the fourth Tuesday of September since 1923.

(b) The final forecast for 1930 was published earlier as an experiment in order to shorten the interim period between the preliminary and the final forecast during which gambling operations on the price of jute take place.

(c) (i) The Director of Agriculture is responsible for the district acreage figures.

(ii) The district figures are subjected to scrutiny by the Director of Agriculture before they are issued. He holds conferences with District Officers at convenient centres and discusses the estimates of area and outturn to be adopted for each district.

(iii) and (d) The change was made, as an experiment, at the instance of the Bengal Chamber of Commerce. The Dundee Chamber of Commerce, the Bengal National Chamber of Commerce and the London Jute Association were duly informed by the Director of Agriculture.

(e) Yes.

(f) Yes, but the figures for Bihar and Orissa and Assam are usually discussed unofficially before submission.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to state if Government follow the forecast?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Yes.

Ministerial officers of the Presidency College, Calcutta.

***104. Maulvi SYED MAJID BAKSH:** Will the Hon'ble Minister in charge of the Education Department be pleased to state how many ministerial officers of the Presidency College, Calcutta, have got promotion (both permanent and temporary or acting appointments) during the last ten years and how many of them were Mussalmans?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: A statement is laid on the table.

Statement referred to in the answer to starred question No. 104.

—	Non-Moslems.	Moslems.	Total.
Number of ministerial officers of Presidency College, Calcutta, who received permanent promotion during the last 10 years.	2*	Nil	2
Number of ministerial officers of the College who received temporary or acting promotion during the period (excluding those who were also permanently promoted during the period).	6*	2	8
Total ..	8	2	10

*N.B.—The two officers shown as permanently promoted also received acting promotion during the period, but are excluded from the figure 6 representing the number of officers who received temporary or acting promotion.

Union benches and courts in Chittagong.

***105. Haji BADI AHMED CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing the number of union boards in each district of Bengal as well as the number of union benches and union courts established therein?

(*b*) Will the Hon'ble Member be pleased to state—

(*i*) why the number of union benches in Chittagong is so small in comparison with the number of such benches in other districts; and

(*ii*) why no union court has been established in Chittagong?

(c) How many pleaders are there among the presidents of union boards in Chittagong?

(d) Is the Hon'ble Member aware that the union boards in Chittagong have got honorary magistrates, pleaders, zamindars, talukdars, merchants, income-tax payers and pensioners as their presidents?

(e) If the answer to clause (d) is in the affirmative, will the Hon'ble Member be pleased to state whether he is considering the desirability of establishing union benches and courts in Chittagong?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (a) A statement is laid on the table.

(b) (i) and (ii) The union board system was introduced into Chittagong district other than Cox's Bazar subdivision less than three years ago, but considerable progress has already been made in the establishment of union benches.

(c) Nineteen, including two muktears.

(d) Yes.

(e) The term of the existing boards is about to expire. When the new boards are constituted, the question of establishing union benches and courts will be considered by the local officers, who will submit their recommendations for the orders of Government.

Statement referred to in the reply to clause (a) of starred question No. 105, showing the number of union boards in each district of Bengal as well as the number of union benches and courts established therein.

District.	Number of Union Boards.	Number of Union Benches.	Number of Union Courts.
Burdwan Division—			
Burdwan	165	52	52
Birbhum	173	7	8
Bankura	183	53	53
Midnapore	....	....	....
Hooghly	126	10	11
Howrah	82	16	16
Presidency Division—			
24-Parganas	129	31	31
Murshidabad	157	....	....
Nadia	264	111	111
Jessore	261	11	11
Khulna	166	27	7

District.	Number of Union Boards.	Number of Union Benches.	Number of Union Courts.
Dacca Division—			
Dacca	326	176	176
Mymensingh	426	104	104
Faridpur	230	58	58
Bakarganj	154	13	12
Chittagong Division—			
Chittagong	157	35	....
Tippera	253	128	83
Noakhali	148	10	3
Rajshahi Division—			
Rajshahi	138	5	5
Dinajpur	278	....	....
Jalpaiguri	59	....	....
Rangpur	317	40	6
Bogra	132	56	56
Pabna	148	....	....
Malda	92	7	7
Darjeeling	1	....	....

Irrigation of Boro paddy in East Bengal.

*106. **Maulvi ABDUL HAKIM:** (*a*) Will the Hon'ble Member in charge of the Irrigation Department be pleased to state—

(*i*) that *boro* paddy is the principal food-crop in certain parts of East Bengal, such as tracts of low-lands called *aors* extending over many miles on either side of the river Megna and some other rivers in the district of Mymensingh; and

(*ii*) that a huge quantity of *boro* paddy is damaged every year for want of the proper irrigation of these low-lying areas?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether any irrigation works have been done by Government to protect *boro* paddy in these areas?

(*c*) If no irrigation works have been carried out in these areas, are the Government contemplating starting any to develop this huge *boro* cultivation? If so, when?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Chuznavi): (*a*) (*i*) Yes.

(*ii*) Government have no information on this point.

(*b*) No, except that Government have assisted the Dacca Nawab Estate to carry out experimental irrigation of *boro* paddy at Chowdanta in the district of Mymensingh.

(*c*) No, not at present, but the matter will be inquired into.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state with reference to answer (*b*) whether in view of the success that seems to have followed, if it is proposed to extend this experiment to other areas?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: The matter will be fully taken into consideration.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state since when this experiment has been carried out in the Dacca Nawab Estate?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I cannot answer this question off hand. I must ask for notice.

Rates of rent in khas mahals.

***107. Maulvi ABDUL HAKIM:** Will the Hon'ble Member in charge of the Revenue Department be pleased to state the different rates of rent per acre at present realised by Government in the khas mahals or temporarily-settled estates under them?

The Hon'ble Sir PROVASH CHUNDER MITTER: The information is not available and cannot be obtained without a costly and laborious inquiry which Government regret they are not prepared to undertake; a statement is however laid on the table showing the average revenue per acre in estates under direct management district by district.

Statement referred to in the reply to starred question No. 107.

ESTATES UNDER DIRECT MANAGEMENT.

District.	Area in acre.	Revenue.	Average per acre.		
		Rs.	Rs.	A.	P.
Burdwan	3,840	8,421	2	3	1
Birbhum	640	3,201	5	0	0
Bankura	640	2,716	4	3	11
Midnapore	522,240	6,32,849	1	3	5
Hooghly	5,120	36,904	7	3	1
Howrah	3,200	24,925	7	12	8
24-Parganas	160,640	5,29,866	3	4	9
Nadia	23,040	63,470	2	12	1
Murshidabad	14,720	40,187	2	11	8
Jessore	6,400	15,164	2	5	11
Khulna	30,080	58,422	1	15	1
Calcutta	35,840	12,651	0	5	8
Dacca	15,360	86,246	5	9	10
Mymensingh	43,520	49,133	1	2	1
Faridpur	81,280	2,08,932	2	9	2
Bakarganj	324,480	13,31,147	4	1	8
Chittagong	430,080	10,34,609	2	6	6
Tippera	90,240	2,17,210	2	6	6
Noakhali	219,520	5,59,503	2	8	9
Rajshahi	18,560	21,114	1	2	2
Dinajpur	640	50	0	1	3
Jalpaiguri	636,160	6,59,960	1	0	7
Rangpur	3,840	677	0	2	10
Bogra	28,160	89,040	3	2	7
Pabna	58,240	62,615	1	1	2
Malda	11,520	19,504	1	11	1
Darjeeling	279,040	2,73,459	0	15	8

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state what are the factors which lead to the difference in the rate of rent? Has fertility anything to do with it?

The Hon'ble Sir PROVASH CHUNDER MITTER: That is answered in the Manual.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to circulate a copy of the Manual?

The Hon'ble Sir PROVASH CHUNDER MITTER: No.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether the rate in the khasmahal estates is higher or lower than in private estates?

The Hon'ble Sir PROVASH CHUNDER MITTER: An answer to that question will involve a laborious inquiry.

Maulvi ABDUL HAKIM: Will the Hon'ble Member be pleased to state whether the high rate of rent in khasmahals in Bengal was provided for in the original proceedings?

The Hon'ble Sir PROVASH CHUNDER MITTER: The rate of rent is not high. So far as I can say the rates circulated were collected from papers at the disposal of Government.

Bund across the Noakhali khal.

***168. Khan Bahadur MUHAMMAD ABDUL MOMIN:** (*a*) Will the Hon'ble Member in charge of the Irrigation Department be pleased to state the total amount spent by the Noakhali Bund Committee in building a bund across the Noakhali khal last year?

(*b*) How much of this amount was contributed—

(*i*) by Government;

(*ii*) by the district board;

(*iii*) by the municipality; and

(*iv*) by the public?

(*c*) Will the Hon'ble Member be pleased to state whether this bund was erected with the sanction and approval of Government?

(*d*) If the answer to clause (*c*) is in the affirmative, will the Hon'ble Member be pleased to state whether the experts of the Irrigation Department were consulted as to whether they were in favour of the project?

(*e*) Is it a fact that on account of the obstruction to the natural drainage of the locality a large tract of country round about Chaumuhani remained submerged under water for several days and caused damage to the Aus crop to the extent of over fifty thousand?

(*f*) Is it a fact that the bund was ultimately washed away?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: (*a*) The total expenditure is not known, as no account was submitted.

(*b*) (*i*) Rupees 15,000.

(*ii*) to (*iv*) The amounts are not known.

(*c*) Government permitted the district board and the municipality to construct the bund on condition that they would accept entire responsibility and that the bund would be cut in the event of serious water-logging or damage to crops.

(*d*) The Chief Engineer reported that the work was under-estimated and was not in favour of the scheme as it did not make sufficient provision for interior drainage, but he agreed that there was no objection to the district board and the municipality making the dam on the conditions mentioned above.

(*e*) It was reported that in the beginning damage was caused to *Aus* paddy by water in the area of depression in and around Chaumuhani, but damage had occurred in previous years when there was no dam. It has also been reported that much good was done to the crops by preventing the ingress of saline water and that if the bund could be maintained by making adequate provision for the escape of excess rain-water during the monsoon, the quality of the crops in the basin would be improved still more.

(*f*) Part of the bund was washed away.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Member be pleased to state whether it is a fact that the total expenditure on the bund was Rs. 5,000?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Government have no information.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Member be pleased to state as regards my clauses (*b*) (*ii*) and (*iii*), if inquiries were made from the District Board and the Municipality of Noakhali about their contribution?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: No.

Maulvi MUHAMMAD SAADATULLAH: Will the Hon'ble Member be pleased to state the approximate value of Government property that was at stake when this bund scheme was approved of by Government?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Rs. 7,00,000, leaving out the value of land.

3-15 p.m.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Member be pleased to state whether the loss to *aus* crops was entirely due to waterlogging on account of this bund?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: No, as far as information is available, it is not entirely due to the bund.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Member kindly state the reason why, in spite of the adverse opinion of experts, Government permitted the erection of the bund?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: The Chief Engineer thought that it might be done.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Member be pleased to state whether Government thought any precautions to be necessary to prevent damages to crop and property on account of the waterlogging?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: The matter was entirely one for the district boards and municipalities.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Member be pleased to state whether before visiting this bund he spent the previous night in prayer as in the case of the Serajganj bund.

(No answer.)

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state whether the Chief Engineer has ever been able to inspect any scheme except the Damodar Canal?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Yes.

Babu HEM CHANDRA ROY CHOUDHURI: Is it a fact that Khan Bahadur Muhammad Abdul Momin as Commissioner of the Chittagong Division expressed satisfaction at the good result of this bund when he visited Noakhali? (Laughter.)

Bund across the Noakhali river.

***[illegible]. Khan Bahadur MUHAMMAD ABDUL MOMIN:** (*a*) Will the Hon'ble Member in charge of the Irrigation Department be pleased to state whether a project under the Village Sanitary and Improvement Act was submitted about 8 months ago by the district board of Noakhali through the Collector of the district for putting up a bund across the Noakhali river with adequate provisions for drainage for the purpose of preventing the erosion of the Noakhali town and the improvement of agricultural conditions in the locality?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what action Government propose to take in the matter?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: (*a*) A project under the Bengal Agricultural and Sanitary Improvement Act was submitted by the Collector to the Commissioner in November last for constructing a bund and a masonry sluice with 24 vents.

(*b*) Government were advised that the scheme was defective and that works on the lines proposed, if properly done, would probably cost Rs. 5 to 7 lakhs. The Irrigation Department are making investigations to ascertain whether a satisfactory scheme can be prepared at a moderate cost.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Member be pleased to state when he expects the investigation to be completed?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: The matter is for the Chief Engineer to answer. I may, however, say that the investigation will be completed within a short time.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is the Hon'ble Member aware that another bund was put up and it has been washed away?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: Not exactly another bund and it has not been washed away.

Damodar left embankment.

***110. MUNINDRA DEB RAI MAHASAI:** (*a*) Has the attention of the Hon'ble Member in charge of Irrigation Department been drawn to the resolutions passed at the second annual general meeting of the Bengal Rural Development Association held at Tarakeswar on 5th April, 1931, under the Presidency of the Hon'ble Mr. Bijoy Prasad Singh Roy, M.A., B.L., and the resolution passed at the North Saraswati Reclamation Conference held at Debanandapur in the Hooghly district on 30th May, 1931, under the presidency of Mr. A. S. Larkin, I.C.S., District Magistrate, Hooghly?

(*b*) Will the Hon'ble Member be pleased to state what action the Government propose to take with regard to—

(*i*) the opening of all sluices on the left bank of the river Damodar during the flood period;

(*ii*) the permission to fill in tanks, etc., free of charge, from the first flood-water of the river Damodar;

(iii) the construction of two new sluices at miles 46th and 52nd under embankment 18 of the Damodar left embankment as approved by the Chief Engineer;

(iv) the construction of crossings;

(v) thorough repair of Kausiki channel;

(vi) jungle-clearing from the Damodar left embankment;

(vii) the supply of sufficient flood-water within thanas Dhaniakhali, Tarakeswar, Haripal, Singur, Jangipara and Hooghly Sadar through the Kana Damodar, Kana Nadi and Saraswati North Channel and their cross-channels such as Ghea, Kausiki, etc., and also the sluices at Jamalpur, Kamrul, Jiara and Champadanga;

(viii) the excavation of North Saraswati down to the Tribeni confluence; and

(ix) the formation of an embankment committee for the districts of Hooghly, Howrah and Burdwan consisting of one-third official and two-thirds non-official members?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: (a) The resolutions passed at the second annual general meeting of the Bengal Rural Development Association have been brought to the notice of Government.

(b) (i) Instructions have been issued for opening the sluices on the left bank of the river Damodar during the flood period.

(ii) Permission has also been given for filling up of tanks, etc., free of charge as far as the rules allow.

(iii) the parties concerned have been informed that if sluices are required by them they should take action under section 18 of the Embankment Act.

(iv) Instructions about this have been issued.

(v) Instructions for repairs to Kausiki channel as far as funds allow have also been issued.

(vi) No special instructions for clearing jungles are considered necessary.

(vii) Instructions for the supply of flood-water as far as flood-levels and the conditions of the channel named allow, have been issued.

(viii) Under present financial conditions it is not possible to take up the question of excavation of the North Saraswati down to the Tribeni confluence. It is understood that action taken by the local anti-malarial societies for clearing jungle and by Government in clearing bars and bunds in this channel is having some effect. It is

reported that the Damodar flood-water, introduced through the sluices on the left bank of the Damodar river, passed out into the Hooghly through the Saraswati.

(*ix*) There are already separate embankment committees for the districts under section 21 of the Embankment Act. Government do not consider that a combined committee for the districts is necessary. The Association may make suggestions on any particular embankment question to the embankment committee concerned.

MUNINDRA DEB RAI MAHASAI: With reference to answer (*b*) (*vi*), will the Hon'ble Member be pleased to state whether it is not necessary to issue special instructions for speedy clearance of jungles?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I have nothing more to add to this answer.

MUNINDRA DEB RAI MAHASAI: With reference to (*b*) (*viii*), does not the Hon'ble Member consider the removal of obstruction and the excavation of north Saraswati down the Tribeni confluence absolutely necessary for the passage of the Damodar water, lest the approach to river Hooghly is likely to be waterlogged?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: No.

MUNINDRA DEB RAI MAHASAI: With reference to (*b*) (*ix*), will the Hon'ble Member be pleased to state the reasons why he does not consider the formation of a bund committee necessary?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: The reason is already given in my reply.

Unstarred Questions

(answers to which were laid on the table).

Distress in 24-Parganas.

83. Maulvi MUHAMMAD SAADATULLAH: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether there is economic distress prevailing in the district of the 24-Parganas on account of jute crisis and other reasons?

(*b*) If the answer to (*a*) is in the affirmative, what steps have Government taken, or do they propose to take in the matter?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Although low prices of produce have made it difficult for cultivators to pay rent and other charges, no distress of a special nature has come to notice in this district.

(*b*) Does not arise.

Facilities for the backward classes in medical institutions.

34. Babu LALIT KUMAR BAL: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether there is any special consideration shown for the admission of backward (depressed) class candidates in the medical schools and colleges of Bengal?

(*b*) Is it in the contemplation of the Government to reserve certain percentage of seats in the medical schools and colleges for the backward (depressed) classes of Bengal?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) The Government of Bengal have decided that the backward classes should ordinarily be represented on the Selection Committees for admission to the Medical College and schools. It is not considered desirable to lower the educational qualification for admission to the Medical College, but Government will consider whether any concession of this nature can be made in the case of candidates from the backward classes for admission to medical schools.

(*b*) The member is referred to the reply given to clause (*c*) of a similar question (starred) asked by Mr. Sarat Chandra Bal at this meeting.

Bhairab scheme.

35. Babu JATINDRA NATH BASU: (*a*) Will the Hon'ble Member in charge of the Irrigation Department be pleased to state the present position as regards the carrying out of the schemes for the improvement of the river Bhairab?

(*b*) Has any definite scheme been approved?

(*c*) If the answer to (*b*) is in the affirmative, what is the estimate and when is such scheme intended to be taken up for execution?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: (*a*) The main Bhairab Project No. II is held in abeyance pending completion of a subsidiary scheme called the Nabaganga scheme. In connection with the latter scheme the site for the regulator has been selected and an estimate has been prepared which is now being checked by the Superintending Engineer.

(*b*) No.

(*c*) Does not arise.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to let us know how long has project No. 2 been pending before Government?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: For some time.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to tell us whether this Council passed a resolution for the grant of Rs. 24 lakhs for the Bhairab scheme and Rs. 2 lakhs for the Navaganga scheme?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: Yes.

Maulvi SYED MAJID BAKSH: What effect has been given to that resolution?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: Effect can only be given when money is available.

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that the Navaganga scheme involving an expenditure of Rs. 2 lakhs is almost sanctioned by Government and the construction of a bridge over the Navaganga by the Railway Department is awaiting Government sanction?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I can inform the questioner that there are many such approved schemes lying for want of funds.

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that in the present census the population of Jessore is shown to have decreased by several lakhs due to waterlogging?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I have no information.

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that stagnation of the Bhairab is responsible for the depopulation of the town of Jessore?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I have no information.

Managing Committee of the Bajitpur High English School.

86. Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) what is the extent of a term for a managing committee of Government aided high schools generally in the province;

(*ii*) when the managing committee of the Bajitpur H. E. School, Mymensingh, was last constituted;

(*iii*) whether it is a fact that the said committee has been in office for more than five years;

(*iv*) whether in July, 1930, a meeting of the guardians of the boys was held at which a vote of no-confidence was passed on the existing committee and an immediate reconstitution of the committee was urged;

(*v*) whether copies of the abovementioned resolutions were duly forwarded to the Inspector of Schools, Dacca Division, and the District Magistrate, Mymensingh;

(*vi*) what steps have been taken in connection with the said resolutions;

(*vii*) whether the Government are aware that there is a general discontent among the public of Bajitpur over the activities of the existing managing committee; and

(*viii*) whether the Government are prepared to direct the reconstitution of the committee in accordance with the rules?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*) Three years.

(*ii*) February, 1926.

(*iii*) Yes. The extension of the term of the committee has been sanctioned by the District Magistrate.

(*iv*) Yes.

(*v*) Yes, a copy of a resolution was received by the Inspector of Schools, Dacca Division. Government have no information whether a copy was received by the District Magistrate or not.

(*vi*) The authorities of the school have been asked by the Inspector of Schools, Dacca Division, to reconstitute the committee according to the Revised School Code. Grant-in-aid bills have been held up pending the reconstitution of managing committee.

(*vii*) No complaint other than the resolution referred to above has been received by the Inspector of Schools, Dacca Division.

(*viii*) Action has already been taken—*vide* reply to clause (*vi*).

Babu JITENDRALAL BANNERJEE: With reference to answer (*iii*), will the Hon'ble Minister be pleased to state whether it is within the competence of the District Magistrate to extend the term of a managing committee as long as he likes?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: If the District Magistrate likes he can do it.

Babu JITENDRALAL BANNERJEE: Can he extend it as long as he likes?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: For a short period.

Babu JITENDRALAL BANNERJEE: In this case it was for two years. Does the Hon'ble Minister consider that to be a short period?

(No answer.)

Babu JITENDRALAL BANNERJEE: Under what special circumstances was the term of this committee extended by the District Magistrate?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The Inspector of Schools has already ordered that there should be another committee.

Babu JITENDRALAL BANNERJEE: On a point of order, Sir. Is it not the duty of the Hon'ble Minister to supply information in reply to the questions we put?

Mr. PRESIDENT: The Hon'ble Minister is reluctant to add anything to the answers he has already given.

Babu JITENDRALAL BANNERJEE: He has not told us under what special circumstances was the term of this particular school committee extended?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Babu JITENDRALAL BANNERJEE: With reference to (*iv*), does the Hon'ble Minister know that information was asked for by the District Magistrate and was not supplied?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Babu JITENDRALAL BANNERJEE: With reference to (*vi*) does the Hon'ble Minister want us to understand that the Inspector of Schools, Dacca Division, wanted the committee to be reconstituted in response to the recommendations that were sent to him?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have no information.

Babu JITENDRALAL BANNERJEE: When did the Inspector ask Government to constitute that committee?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Mr. SYAMAPROSAD MOOKERJEE: Does not the Hon'ble Minister consider the explanation given by the District Magistrate to be unjustifiable?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No.

Bhairab scheme.

87. Mr. K. C. RAY CHAUDHURI: Will the Hon'ble Member in charge of the Irrigation Department be pleased to state how much has been spent on the Bhairab scheme and how far the scheme has been proceeded with?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: The member is referred to the replies given to an unstarred question on the subject asked by Babu Jatindra Nath Basu at this meeting.

A sum of Rs. 6,025 has been spent for investigation of the Bhairab scheme.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether it is really within his knowledge either this year or last year people living near the mouth of Navaganga were about to cut the railway line?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: No.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether in view of the acute distress prevailing there he is willing to take prompt action?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Government have no information about any distress prevailing there.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to instruct the Chief Engineer to take action forthwith in the matter?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I am afraid I cannot say that he will take action forthwith as he may have certain other urgent matters to attend to.

Maulvi SYED MAJID BAKSH: In view of the fact that a sum of Rs. 26 lakhs was voted on a resolution passed by this Council, does not the Hon'ble Member consider this sum of Rs. 6,025 to be a paltry sum?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: That is a matter of opinion.

Process-servers' pensions on retirement.

88. **Maulvi ABDUL HAMID SHAH:** (*a*) Is the Hon'ble Member in charge of the Judicial Department aware that the scheme for revising the rate of pension (namely, Rs. 4) granted to the process-servers on retirement according to the Judicial Department letter No. 3456 of 1923 has been pending with the Government for some years?

(*b*) What is its present position?

(*c*) Are the Government considering the desirability of taking early steps for a final decision of the matter?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) The letter referred to is not traceable, but a scheme for revising the rates of pensions for officers in inferior service including process-servers is pending.

(*b*) and (*c*) Draft rules for these services have been prepared, but the state of provincial finances prevents their introduction at present.

RESOLUTIONS

(on matters of general public interest).

[The discussion on the motion regarding transmission cost of landlords' transfer fee was then resumed.]

Mr. PRESIDENT: When the Council adjourned last evening, resolution No. 12 was under discussion and Maulvi Abdul Hakim was in possession of the House, I now call upon him to proceed with his speech.

Maulvi ABDUL HAKIM: Sir, some years before the cost of search fee for each document was one rupee only per document whatever the number of executants might be in that document, but now the law has been changed into such a shape, that the search fee has become one rupee for the name of each executant of the document mentioned in the search application as for instance if a document contains 10 executants the search fee for these ten names for taking copy of this document will be Rs. 10 by the new rules besides other fees for the said copy.

And I do not see any earthly reasons to support such rules or laws which are inequitable, unjust and exploiting in nature. From the realisation of the transmission fee and some other fees of the like nature realised in the registration offices, it appears that Government have begun profiteering upon the people of Bengal like the jute merchants of the Dundee city by enforcing certain legislation which is unbefitting for a civilised Government. For the reasons mentioned above, I vehemently support the resolution and request Government to take early steps to reduce not only the exorbitant transmission fee, but also search fee and other fees of the like nature realised in the registration offices of this province.

3-30 p.m.

The Hon'ble Sir PROVASH CHUNDER MITTER: The resolution as it stands only asks Government to reduce the rate of transmission cost of landlords' fee realisable under the Bengal Tenancy Act, 1885, as amended by Bengal Act IV of 1928, so that there may not be any unreasonable excess in the amount actually realised for the purpose after meeting all necessary expenses. I propose first of all to deal with the resolution as it stands although I am aware that many points were raised in the discussion, which had nothing to do with the wording of the resolution.

Mr. PRESIDENT: I hope, Sir Provash, that you will restrict your remarks as far as possible to the terms of the resolution.

The Hon'ble Sir PROVASH CHUNDER MITTER: Very well, Sir. As far as the resolution is concerned, my answer is very short. In the year 1929-30 the total amount received by Government was Rs. 8,10,935 and the total expenditure that year was Rs. 7,72,619 so that there was a surplus left of Rs. 38,316. In the year 1930-31 the total amount realised was Rs. 7,45,248 and the total expenditure was Rs. 8,38,805 so that there was an excess expenditure that year of Rs. 93,657 so that on a calculation of the surplus of the first year and the excess expenditure of the second year, we find that there was a total excess of expenditure of Rs. 55,241. We had not sufficient experience yet of the working of the system to specify with certainty all the reasons as to why there should be a surplus in the first year and an excess of expenditure in the second. But there is at least one reason for this, namely, with regard to the expenditure in the year 1929-30 the scale of work expected from clerks and others proved to be too high, so that they could not finish the work entrusted to them expeditiously. The result was that there was a good deal of criticism about the delay in the disposal of those cases, and some members in this House will remember that there was such criticism. The department went into that matter and they provided for a standard of work which the first year's experience showed to be necessary for discharging more expeditiously the duties entrusted to these clerks and others but they had also to provide for some additional staff to clear off the arrears of the first year. The additional staff necessary to cope more expeditiously with the current work and for clearing off arrears resulted in increased expenditure in the second year. But Sir, further explanation is necessary as to why a definite standard cannot yet be fixed. As the House is aware this system was started in April, 1929, so that in the first year the clerks, the officers and the landlords and the vendors and purchasers of occupancy holdings were all new to the work. In the second year they were more familiar with the system, and as time goes on we shall be in a better position to judge as to what should be the standard of work to be expected from these clerks and officers. As I have said on another occasion, if we allow the system to work say two years more, we shall be in a better position to fix a reasonable standard of work. I said on that occasion also that it was not the intention of Government to make any profit, and every effort will be made to keep down expenditure within the receipts realised. This will be to the advantage of the State.

There is another point which arises out of the resolution, and that is this; namely, the question of money-orders. The mover of the resolution says that the expenditure on money-orders was a most

important point, but the expenditure on money-order commission is only a very negligible portion of the expenditure. The expenditure really begins as soon as a vendor comes to the registration office with his conveyance. A notice is prepared and compared by the registration clerk; then the clerk has to calculate the fee and to get payment of fees in court fees stamps. Then the notice and the court fee stamps have to be sent to the Collector; if the Collector is at headquarters at a short distance, then it is sent by hand; if his office is at a distance then it has to be sent by registered post or special peon. On receipt from the Collector, a notice is served on the landlord; if the landlord is the sole landlord, then a money-order is sent to the landlord. If he is not the sole landlord no money-order can be sent and several difficulties arise. It is quite clear that during the last two years we have introduced improved facilities of work in the registration as also in the Collectors' offices. With improved knowledge of the system by the public concerned, we shall be in a better position to arrive at a dependable standard.

Babu HEM CHANDRA ROY CHOUDHURI: Yesterday in my speech I drew the attention of the House to the fact that the public have grave doubts as regards the accounts submitted of receipts and expenditure————

The Hon'ble Sir PROVASH CHUNDER MITTER: May I rise to a point of order? The hon'ble member undoubtedly went into that matter, and I started my remarks to-day by saying that I would confine myself to the wording of the resolution, unless you, Sir, permitted me to travel outside the terms of the resolution. If the hon'ble member wishes me to go into any matter not arising out of his resolution, I would tell him that these questions do not arise out of his resolution.

Mr. PRESIDENT: I was not here when this resolution was discussed last night; but Sir Provash is quite right in saying that I told him not to refer to any point which did not come directly within the resolution before the House, and so the mover of the resolution should confine his remarks while speaking in reply to the arguments that have been advanced from the other side of the House to such matters as are relevant to the subject before the House.

Babu HEM CHANDRA ROY CHOUDHURI: I was referring to the accounts for the actual receipts and expenditure, and this is certainly part of my resolution.

The Hon'ble Sir PROVASH CHUNDER MITTER: On a point of order, Sir. The resolution as it stands here says "to reduce the rate of transmission cost of landlords' fee realisable.....". The resolution does not require an explanation to the House as to how the facts and figures of expenditure have been arrived at. I have not the slightest objection, if a specific resolution is moved later on, to give facts and figures if required. But it is not possible just now to tell the House as to what is the cost of paper for the forms, printing and various other processes including cost of staff, etc.

Mr. PRESIDENT: What is your point, Mr. Roy Choudhuri? Are you pointing out any mistakes in the accounts?

Babu HEM CHANDRA ROY CHOUDHURI: No. I am requesting the Hon'ble Member to lay the accounts before the House so that we may scrutinise them, that we may find out whether there is an excess or not. If there be no excess, the resolution may not be pressed. Hence we must have the accounts. Last night I pressed for the accounts for the public have grave doubt as regards the correct handling of these accounts. The items of expenditure which are good many in number must be scrutinised to find out which of them are necessary for the transmission of fees. The public have formed opinion that this expenditure includes something which was not necessary for transacting this work. I would ask the Hon'ble Member to tell the House clearly whether he is ready to place the accounts before the House for its satisfaction.

The following motion was then put and agreed to:—

"This Council recommends to the Government to take steps to reduce the rate of transmission cost of landlords' fee realisable under the Bengal Tenancy Act, 1885, as amended by Bengal Act, IV of 1928, so that there may not be any unreasonable excess in the amount actually realised for the purpose after meeting all necessary expenses."

3·45 p.m.:

Reservation of [illegible] in the Provincial Services for the Namasudra and other backward communities.

Mr. MUKUNDA BEHARY MULLICK: Sir, I beg to move that this Council recommends to the Government that at least 20 per cent. of the appointments be distinctly set apart at the time of every recruitment in all the Provincial Services—Executive, Judicial, Registration, Police, Excise, Co-operative and other Departments—for the candidates of the Namasudra community and other backward communities (as enumerated on page 189, Part I of the Calcutta University Commission's Report) for which they possess the necessary minimum qualifications according to the Rules.

Sir, I feel that the motion indicates only a bare minimum demand of these millions of backward or depressed classes in all the Provincial Services in the name of justice and fairness.

Now, Sir, I shall not go into the earliest history of the movement which has induced us to bring forward a demand of this sort in this House. But I shall have occasion for my present purpose to refer only to one instance under the old Government, before the Reforms were introduced, and I shall come to 1917, when the famous declaration was made on the 20th August, by the late Secretary of State for India in Council, regarding the policy to be pursued by the British Administration in this country. Sir, we all know that the late Secretary of State for India said that the ultimate aim of the British was to establish responsible Government in India within the British Empire and this was to be realised by progressive stages. And to begin with it was said, if of course I have understood the declaration aright, that the same should take the form of an expansion of the Legislature with a wider franchise and the appointment of the Indians in high administrative posts with a view to train them up to undertake greater responsibilities for the future. With regard to the former, specially how far and in what shape the same has been realised or is being realised, I am not concerned in the present moment so far as the text of this motion of mine goes. But, Sir, the latter indicates the key to the whole subject under consideration. I hope it will be admitted that one of the chief factors which underlies the success of an administration is the confidence that the latter enjoys in the discharge of its duties in reference to its subjects. The demand of the subject for a share in the administrative control can be explained by a genuine desire to share the burden of administrative responsibilities to manage one's own affairs.

Now, Sir, the question is, whether there is any justification for the different classes of people to ask for shares of administration on

the ground of the numerical proportion of these classes? Objections have been raised from various quarters to this sort of demands on that narrow and misleading ground of communalism. I shall presently try to meet that charge, the hollowness of which has been exposed on more occasions than one. The plain answer would be that if these backward classes who have hitherto been practically kept out of all public offices, have acquired those qualifications and have developed a genuine desire to have a share in the administrative responsibilities, I do not think that they can still be denied that demand of theirs.

I know there are yet people who may be said to be suffering from that sort of derangement which can be characterised as "backward classes phobia". But, Sir, time has come when in the fair name of the country and nationalism and in the best interests of the motherland, my friends, if there be any still inside this House, and those outside it would do well to pause and consider that all these people are as good citizens of the country and as good men as they themselves are and that they have also got the hearts to feel and realise their own welfare, as also their rights and responsibilities. It must also be admitted that if individuals go together to make up the communities and societies, the welfare of the latter must be bound up with that of the former; and if communities and societies go to make up the country as a whole, it must also be admitted that the welfare of the latter is bound up with that of the former. To those few, who may be there still, objecting to this demand on the ground that it is all communal and one should not have anything of the kind in public services dealing with the administration of the country, I would further say that these objectors themselves are not only communals of the worst type but that they are also "Personals", if I may use that expression. For, Sir, we and they all know that when I speak for these communities, I speak for them only and there is no other motive behind it. But these objecting friends of ours, when they oppose it on that ground and put forward some other ground instead, I would only say that through a hackneyed backdoor they speak for interested quarters, as they have always done; and it is like the old argument "heads I win, tails you lose".

Sir, you will find that the Government have, as a matter of fact, recognised by their rules made from time to time the claims of different communities for services under the administration. The old Government of Eastern Bengal and Assam adopted a resolution regarding the employment of Muhammadans in public services by notification No. 1769 C., dated Shillong, the 15th February, 1907. After laying down the principles so far as the Muhammadans were concerned, that Government were also pleased to recognise the claims of "important castes of Hindus other than those usually employed in Government offices". This certainly indicates the sympathetic and

just attitude of the Government towards the millions of people called the backward classes who were then kept out of all public services. The same was also the view of the Government of India as expressed in their resolution under the Home Department No. 1046-58, dated Simla, the 19th August, 1910, and it was laid down in these words: "The rules must be adopted on the one hand to obtain thoroughly efficient candidates and on the other to secure the representation in the public service of the different classes of the community." Following the said direction of the Government of India, the Government of Bengal issued a notification No. 1650 A.D., dated the 31st July, 1913, when Mr. J. G. Cumming was the officiating Chief Secretary to the Government of Bengal. Even under the present system of recruitment to some of the provincial services when the rule for appointments on the basis of competitive examination has been introduced in place of the old method of nomination by the different authorities, the Government of Bengal felt the desirability of recognising the claims of different communities. The question now is how they have applied the same in practical instances?

The principle on the basis of the community in some of the high adminsitrative appointments has been practically recognised by the Government. I am not talking anything of the same now and I am confining myself to the provincial services only. What I maintain is that if the principle has been so applied in higher services, there is no justification in not doing the same for lower ones, when as I know there is no lack of qualified candidates from amongst the backward classes for the same.

An objection has also been raised on the ground of merits of the intending candidates for the different services under the administration. It certainly deserves a very great consideration; for apart from anybody else, it came at last the other day from the Hon'ble Home Member, as you would be pleased to remember, that when I put forward the claims of these communities in the judicial branch of the Bengal Civil Service at the time of the last budget discussion in this House, he was good enough to say that although he had every sympathy with these matters, he could not acknowledge the demand on a percentage basis irrespective of the merits of the candidates.

Now, Sir, to avoid a misgiving or misapprehension of this sort, I have clearly indicated in my resolution that the candidates must possess the necessary qualifications under the rules laid down by the Government. Sir, you will find that for all services under the Government there are definite rules laying down the qualifications. There are these qualifications laid down under different heads: Education, character, conduct and health. Sir, what I do maintain is that when the candidates of the backward classes do satisfy these required qualifications as laid down, they should be given preference

over others on the simple ground that they have not yet been given that chance to have their share in the administration, which they certainly deserve. For, Sir, apart from anything else you will be pleased to find that assurances were given by several provincial heads that no qualified candidates of these classes would be passed over.

You will find, Sir, that in mentioning the various departments in the Provincial Services in my resolution I have omitted the medical and educational services, for so far as I am aware there are not many candidates yet from the backward classes for the same but as regards others there are any number of very qualified candidates, according to the rules laid down by the Government.

4 p.m.

A question has also been asked as to who these backward classes are. I am surprised to find that even some of the high Government officials plead ignorance and it seems that they do not know the orders of the Government in this direction. I remember that a question was asked in this Council some years ago, when the Hon'ble Sir Hugh Stephenson was the Home Member of this Government and he was good enough to say in reply that the Government had adopted the list of classes called backward by the Calcutta University Commission presided over by Sir Michael Sadler and assisted by no less an authority than the late Sir Asutosh Mookerjee in their report, part I, page 189. And the Hon'ble the Home Member also said that the same was not open to any further debate. The Government have also supplied the said list to all authorities and departments concerned including the Selection Committee of the Bengal Civil Services. You will be pleased to remember, Sir, that a question was asked by my hon'ble friend Mr. Sarat Chandra Bal in March before last as to these classes and the treatment by the Government towards them in the distribution of the State patronage. The then Home Member the Hon'ble Mr. (and now Sir) A. N. Moberly was good enough to say in reply that they were reviewing the whole question and would settle the matter after considering the different aspects of the question. The Government have now published their decision as embodied in notification No. 7183A., dated the 22nd May, 1930, in which they have mentioned 21 different services as coming under the Provincial Services. The Government have laid down different rules for different services. With respect to some of these, however the Government have only been sympathetic enough to say that out of the qualified candidates they will consider the claims of the backward classes up to 10 per cent.

The numerical strength of the backward classes included in the list by the late Sir Asutosh Mookerjee and his colleagues in their report would be about 11½ millions out of a total of 46½ millions of people in Bengal, that is, they form one-fourth of the population in Bengal.

They can, therefore, very reasonably claim 25 per cent. of the appointments in the provincial services for which they are qualified according to the Government rules. I remember, Sir, that I was asked a question by Lord Strathcona, while giving my evidence before the Statutory Commission, about our claims for the Provincial Services and if we would have sufficient number of qualified candidates for these services. In reply, I only assured the noble Lord and his colleagues that there were any number of qualified candidates for at least many of the Provincial Services. We have never asked, nor shall we ask, the Government to consider the cases of those who do not satisfy the required qualifications.

Now, Sir, if I were satisfied or if I had known that the claims of these backward classes had at all been properly considered—not to talk of any sympathetic consideration—by the Government and by others in authority, perhaps there would have been no necessity for me to waste the time of this House by tabling a resolution of this nature. Past events—specially many of the answers given by the Government even in this session—show that their cases have, in more instances than one, been given only a sympathetic go-by.

Sir, as I said in the beginning, I would only give one or two instances to show how the claims of these millions of people have been treated in the past. We maintain that we were much better off under the old Government in this respect before the Reforms were introduced. In following the resolution adopted by the Government of Eastern Bengal and Assam in 1907 that Government not only considered the claims of the then candidates but appointed practically all the suitable and qualified candidates in various departments and not a single case of inefficiency has yet been noticed. On the contrary, their loyal devotion to duty and their abilities have been testified to by all the officers under whom they have served.

In the Executive services the Government have appointed undergraduates from other communities amongst whom there is no lack of very good candidates superseding the claims of the qualified graduate candidates of the backward classes. And even when the rules were changed and when it is said that direct recruitment to these services would only be made on the results of the competitive examination, Government have appointed from outside candidates directly and not by promotion who were never nominated by the College heads and who never appeared at the examination and of these there were even undergraduates also, superseding the claims of the qualified candidates of the backward classes.

In the Judicial Branch of the Provincial Services, the Government have appointed 2nd class B.Ls. and 3rd class M.As. from the privileged classes amongst whom there is no lack of better candidates: superseding

the claims of the 1st class B.Ls. and M.A., B.Ls. of the backward classes, as the answer given by the Hon'ble the Home Member to my question the day before yesterday clearly shows.

I shall not multiply instances. But, Sir, the same is the state of affairs in the Police, Registration, Excise, Co-operative and other Provincial Services. I had occasion sometime ago to bring before the House the cases coming under these departments also.

But, Sir, I should be failing in my duty if I had not mentioned in this connection the truly sympathetic and just consideration made by the present Hon'ble Ministers in charge of the departments of Registration and Agriculture while they made their last selections. They did not content themselves with only a sympathetic consideration of the cases of the candidates of these classes but translated the same into practical action by appointing the properly qualified ones from amongst them. But this is entirely personal and there is no knowing what their successors-in-office will do in future.

You will permit me, Sir, to mention one little fact before I commend my resolution to the acceptance of the House. It appeared from a reply given by the Hon'ble the Home Member the other day with reference to the appointments made in the Bengal Judicial Service that the claims of certain candidates were pressed on the ground that they belonged to the depressed classes and only one was accepted by the authorities. On inquiry we find that the candidate does not come under the list of backward classes at all. It appears, therefore, that the Government in their generosity have gone out of their way to create depressed classes to suit their own purpose. It was rather humourously pointed out by my hon'ble friend Mr. Shanti Shekhareswar Ray in speaking on one of the motions at the last Budget Session when he said that the *Barnasrami* Brahmans might also be included in the list. A candidate comes up and only for the purpose of the appointment says that he belongs to a depressed class. He might as well say that he is a Muhammadan. This, in my opinion, should be absolutely discouraged.

I have tried to show, Sir, that the demand I have indicated in this resolution is only just and fair. Our difficulties are—as was said sometime ago—that besides the proper qualifications laid down by the Government, "various other considerations" are brought into play by the officials concerned; and the candidates of the backward classes are excluded on these "other considerations." This resolution is, therefore, tabled to put an end to these "other considerations" for which we can only express our regret.

Before resuming my seat, I would appeal to the Government and to my hon'ble friends of this House to seriously consider the position involved and to show that these millions of their own countrymen who are struggling for self-amelioration, deserve their just consideration

for it must be remembered that no body politic can be said to be absolutely whole and healthy with a considerable section of the same being kept hopelessly crippled.

With these words, Sir, I commend my resolution to the acceptance of the House.

Babu LALIT KUMAR BAL: Mr. President, Sir, I beg to support the resolution moved by my friend Mr. Mukunda Behary Mullick. Appointments in the various branches of the administration should, in my opinion, be made on the basis of population as far as it can be done, having due regard to the qualifications of the candidates, and this principle has justly been followed by Government in the case of the Muhammadan community. I do not, of course, grudge the appointment of Muhammadans in proprotion to their population, but what I want to press is that the same principle be followed as well by Government in the case of the backward classes, so that every community may have its due share in the administration of the country. The numerical strength of the backward classes is at least 85 per cent. of the non-Muhammadan population of Bengal, and it seems only just and proper to distribute appointments amongst candidates from these classes in proportion to their number, when we clearly find that there is no want of qualified candidates among these backward classes of Bengal. With these few words, Sir, I beg to support this resolution.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I rise to support the resolution of my friend Mr. Mukunda Behary Mullick. I must at the outset confess that I do not know exactly the proportion of population of the backward classes in Bengal to the privileged classes, and I also do not know whether 10 per cent. of the public services covers the demand of the backward classes, as was laid down in the circular just read out. Yet, Sir, I rise to support this resolution on the ground that the backward classes have been labouring under a great disadvantage since a very long time. I know, Sir, that in many cases they satisfy the minimum qualifications required by Government. Many members of the backward classes with the requisite qualifications are available, but they are not taken in. The benefits of Government service have up till now been enjoyed by the privileged classes, and it is a legitimate and normal claim of the backward classes that they should get Government appointments if they possess the minimum qualifications.

Sir, the grievances of the backward classes are that the public services have been monopolised by the privileged classes, and they think that if they could have entered Government service they could have helped others belonging to their classes in securing Government appointments, and that in course of time they could have reached the same level as the

privileged classes, at least in regard to social status. But I do not know exactly whether the demand of 20 per cent. of Government appointments is fair on their part. Yet, to satisfy a community which has been deprived of its legitimate right for a long time, I think that the members of the privileged classes should concede this request—at least for some time to come—and see the result.

With these words, I beg to support the resolution of my friend Mr. Mukunda Behary Mullick.

Babu JITENDRALAL BANNERJEE: Sir, even at the risk of being misunderstood, I should like very briefly to oppose the resolution of Mr. Mukunda Behary Mullick, and to express my emphatic dissent from the line of thought which underlies the arguments that have been put forward by Mr. Mullick, and supported, curiously enough, by Maulvi Jalaluddin Hashemy. Sir, I cannot understand this craze for minimum qualification. The Congress speaks of minimum qualification and my friend Maulvi Jalaluddin Hashemy, as a devoted follower of the Congress, naturally speaks of minimum qualifications. So also does my friend, Mr. Mukunda Behary Mullick, who would consider it pollution to be within the four corners of the precincts of the Congress. Sir, misery and a deep desire to participate in the loaves and fishes of office make strange bed-fellows of this diverse assortment of people.

My friend, Mr. Mullick, in his resolution was not speaking of the menial services, he was speaking of the Provincial Services—the classes from which our deputy magistrates, munsifs, subordinate judges and such other officers are recruited, and he pleaded for a minimum qualification for these services. Sir, whatever the future government of the country might be—whether Swaraj, or Bureaucracy, or Swarajist Bureaucracy—what every one would want is that the public services of the country should be adequately manned and staffed, that they should be of the best that we can have; and I take my stand on the broad principle that the public services of this province should be filled by the best available men and not by the worst available, as Mr. Mullick would want us to have.

Sir, after all, what is the minimum qualification for most of these services? It is that a man must have the B.A. diploma. And in the Calcutta University, as at present constituted, it is very difficult *not* to pass the B.A. examination. (Laughter.) Sir, the principle of minimum qualification is all very well as a qualification for candidature; but when you proceed to appoint a candidate to these services, you ought to insist, not on the minimum but on the maximum qualification available.

This matter is often argued as if it were simply a question of the distribution of loaves and fishes. But, Sir, the public also come into the matter: the public have a right to expect that the services which

they get from their administrators—their judges and their executive officers—should be of the best possible quality. My friends, Maulvi Jalaluddin Hashemy and Mr. Mullick, have spoken of the privileged classes. I do not know what they mean. Most probably, they have at the back of their mind the caste-Hindus. But if the caste-Hindus are enjoying what they call privileges, is it because the Government are specially well-disposed towards them? Certainly, Government look upon them with anything but an eye of favour. If, therefore, the caste-Hindus are found in large numbers in the public services, it is because they have the necessary gifts of character, ability, industry, and zeal in the discharge of their duties.

4-15 p.m.

Show the same qualities of character, ability, zeal and efficiency, and you also will be similarly qualified for your due share in the public services. Sir, there is a tendency in some quarters to pooh-pooh mere university qualifications as such. I would never contend that university qualification should be the sole criterion for admittance into public service. But could it be denied that these university qualifications are at least some test of merit and are better than no test at all?

Sir, I cannot understand what is meant by our friends, the Muhammadans, claiming that the services should be distributed on the basis of population alone and not upon the only possible basis, *viz.*, the basis of adequate qualification.

Maulvi SYED JALALUDDIN HASHEMY: On a point of order Sir. Nothing has been said about the Muhammadans or about appointments being given on a population basis.

Babu JITENDRALAL BANNERJEE: There is no question of a point of order here. Both Mr. Mullick and the gentleman who supported him spoke of appointments upon a population basis and both of them referred to a certain percentage of posts being reserved for Muhammadans. And if Mr. Jalaluddin Hashemy was sleeping during those speeches, I cannot help the matter. Sir, the position is curious. The Muhammadans insist, they are explicit in their demand that they should get 50 per cent. of the appointments, not because they possessed the adequate and requisite or any qualifications at all, but because they were Muhammadans. The depressed classes, I do not know who they are, no definition is forthcoming, but they also insist that they must get 20 per cent. of the appointments, not because they are qualified but because they are the depressed classes and that gives them a privileged position. And so it comes about that with 50 per cent. going

to the Muhammadans and 20 per cent. to the depressed classes, the men who possess the necessary qualifications of character, ability and efficiency must scramble for the remaining 30 per cent. and must be content with the leavings and off-scourings of the rest! Sir, this is a monstrous proposition, and I am surprised that people should have the effrontery to advance it, specially on the floor of this House.

Rai Sahib PANCHANAN BARMA: I beg to support every word that has fallen from Mr. Mullick with the exception of the words as enumerated on page 189, Part I of the Calcutta University Commission contained in the part of the resolution. That is the enumeration of a small class of men who are described as depressed classes. There is the expression "depressed class" but recently in May, 1931, in connection with the recruitment of the Bengal Civil Service this expression has been left out. A list has been prepared in which the minority and backward classes have been enumerated. So I say this classification should be accepted here in place of the one mentioned by Mr. Mullick. As regards other matters we hear that everything should go by superior merit and that all classes should have the appointments by force of their superior merit; all these may sound very fair. The advanced classes will get the services. But where will the rest go? Will they go below the ladder or go forward and assert their right? Are they not to take the burden of administration on their shoulders? Are they to be treated always as helots? They have never been given an opportunity of taking part in the administration and they must be treated as equal citizens of the State. I could say many words on this matter but would refrain from taking up more time of the Council. Many speeches have been made on the subject of qualification but what are qualifications? Something is to be done and if a man is qualified to do that, it is sufficient to appoint him. But if insistence is made on superior merit if a qualified man is prohibited where should he go? Then should those classes who already have had opportunities should always go up and others go below and further below? Should this sort of thing be perpetuated? On this ground I beg to support the motion with the exception that I have mentioned.

Maulvi ABUL KASEM: Even at the risk of being tarred with bringing forward a monstrous argument, I rise to support the motion of Mr. Mukunda Behary Mullick. It has been said that the public demand that the services should be filled up by the ablest men. Nobody denies that, neither does Mr. Mullick, nor do I. But the question is how to judge what is the best qualification. I submit to the House, with due deference, that only the securing of high marks at a public examination does not necessarily mean that a man would be the best judicial or executive officer or any other officer. There are many other matters to be considered along with that.

It is too late in the day to say that competitive examination is the only and the best method for the executive services, but that apart, Mr. Mullick's demand is for the recruitment of a certain proportion of a certain class of Hindus—I am not prepared to call them depressed or backward classes, because I do not think that that term is justified. But what I say is this: These people demand a share in the public services, not as a means of livelihood, but because they want to serve Government. The question at issue is that they want a share in the administration of the country and they have a right to a share in the administration of the country. It has been urged that if they want a share, the best course is to come into the open field; but my friend Mr. Bannerjee forgets that for centuries they have kept down a certain class of their co-religionists and have not allowed them to take to higher education.

Babu JITENDRALAL BANNERJEE: I question that statement. It is entirely unfounded.

Maulvi ABUL KASEM: Then, Sir, a community's position in a country depends upon certain factors—population, wealth, education and a share in the public services. And if a community which numbers more than 11 millions in Bengal wants to secure a position suitable to its numerical strength, its desire should be supported.

My friend says that if the Muhammadans take 50 per cent. and the Namasudras 20 per cent. then what will be left for the caste Hindus?

Babu JITENDRALAL BANNERJEE: I did not say caste Hindus, but the best qualified men. They must be content with the leavings, it would appear!

Maulvi ABUL KASEM: Sir, I can very well appreciate the feelings of my friends on the other side. They are in possession of the House, and other claimants for a space in that room are knocking at the door which is very unpleasant to them. But my friend ought to remember that Namasudras, as we call them, and the Muhammadans more or less are the producers of the wealth of this province. The lawyers, zamindars—they are nothing but tax collectors—doctors and other professional men are not the earning members of the family. As I said on a previous occasion, they represent more or less the class of widowed sisters, very useful in their sphere of life—useful to the family indeed, but they are not the bread winners. I claim that we are the bread winners for the whole province, and, as such, our claims should be first attended to before those of the other 30 per cent. We pay the bulk of the tax. You cannot find out the actual paymasters

from your registers because if you go through your register, you will find that they do not figure in the records of the Collector of Income-Tax, or the Collector of Excise Revenue; but the real revenue that is paid is paid by the actual tillers of the soil and cultivators, and I do think that they have an undoubted right to command the tune. And therefore we demand that the classes for whom Mr. Mullick speaks must have a proper, legitimate and just share in the administration of the country and for this purpose the necessary action must be taken. We have had, so far as the Namasudras are concerned, a good deal of sympathy and pious expression of hope and honeyed words from Government but in practice they are neglected, with the few exceptions mentioned by my friend. I think that the time has gone by when any section of the community can be satisfied with sweet words or patronising terms, but what they want is action immediate and prompt.

Khan Bahadur Maulvi AZIZUL HAQUE: I am sorry that my friend, Mr. Jitendralal Bannerjee, who is a product of English education, Western environments and Western ideas, has come down to speak with ideas which have been exploded the world over centuries back. He forgets that it is not unreasonable that a man should come to be recognised by his own inherent right. This is a time, Sir, when England is ruled by the Labour Party and I would ask my friend Mr. Bannerjee to scan the qualifications of the Cabinet Ministers of England at the present day. If anybody wants to-day to damn the case of India, Mr. Bannerjee's speech should be circulated to the world. Mr. Bannerjee has not only shamed himself but I think has shamed his own countrymen that they should to-day claim to stand on the right of a privileged class whom history, circumstances and other things have put in a position in which they are entitled to call themselves the best qualified men. I do not deny that they are the best qualified men to-day. But will my friend Mr. Bannerjee turn over the pages of history and see who were the Deputy Magistrates in Bengal in the last century—men who had no education but probably had some relationship with men at the top? Did they possess qualifications demanded at the present day? I ask him to-day to scan the list of men in Government service, specially old men, and he will find unqualified men still in the service. Will he learn a lesson and see that these unqualified men have given a tone and temper to their community by their ability to give the best of education to their sons and daughters? Mr. Bannerjee can find out easily that those who have risen to the top have got merit behind them. But certainly that is no reason why we should shut out people who form the majority of the population! After all, self-determination is a principle which should not be confined within the politics of the country; it should be carried home to the people.

4.30 p.m.

I think if it is to be carried home, it should be carried to this extent. It is not the privileged classes that count, but those men who form the backbone of the country have been shut out so far and they have a right to speak. I have often heard of Government service producing a slave mentality; but I wonder how my friend, Mr. Jitendralal Bannerjee, who is a Congress-man, by virtue of his being a member of that party, is so very anxious for the best qualified. The appointment of qualified and not unqualified men is advocated and I fail to understand the logic of his arguments. Perhaps he has forgotten logic. Will he tell us wherein lies the standard of qualifications. Sir, I do not know what further qualifications my friend, Mr. Bannerjee, possesses beyond his University degrees————.

Mr. PRESIDENT: Order, order. Khan Bahadur, you should not indulge in personalities.

Babu JITENDRALAL BANNERJEE: Sir, my qualifications will take care of themselves. I have forgotten more logic than the Khan Bahadur will ever learn.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, why does my friend take shelter behind the privileged expression "qualification," when he is so much chary of consulting logic. If he will consult the dictionary he will find a beautifully vague expression given. If my friend remembers aright, it was only about 20 years back that a man who was not a graduate was considered fit for a certain post. But to-day graduateship has become the minimum standard of qualification. That is why I say that after all the public have a right to decide what that qualification should be. My friend, Mr. Mullick, has only mentioned the necessary minimum qualification according to the rules. When that minimum qualification is satisfied, what right have you to exclude these people who form the bulk of the community? If the present circumstances are such that these communities are not able to take advantage of having a full share in the administration, the machinery should be so adjusted as they can have it. Mr. Abul Kasem has blamed the Government. I think he is perfectly right. What is the Government after all? It is after all a few white men at the top and a few privileged men who are controlling the Government. If you think for a moment you will realise that it is the people like head clerks who are controlling all the offices. All our complaints are therefore directed mainly against the privileged classes————

Babu JITENDRALAL BANNERJEE: What about the professions? What about medicine, engineering and law? Who keeps you down there?

Khan Bahadur Maulvi AZIZUL HAQUE: My friend, Mr. Bannerjee, can argue and talk most, but he is now talking at random. After all we are not speaking of the medical services or the engineering services————

Mr. PRESIDENT: Order: order. I cannot allow members to fling words at each other in this fashion.

Khan Bahadur Maulvi AZIZUL HAQUE: What my friend, Mr. Mullick, wants is that a certain proportion of the provincial service appointments—not those in the scientific departments which require special knowledge—should be given to the members of his community. Sir, we all know that every man with a certain requisite minimum qualification can administer. After all is it because a man is able to speak English fluently, he is to be considered best qualified————

Mr. PRESIDENT: Please do not indulge in personal remarks.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, what I am saying is—is it because I am able to speak better English fluently I am to be considered a better man: I might be the worst man in spite of my being able to speak fluently in the English language. That is the reason why, subject to certain minimum qualifications, a certain percentage of appointments should be given to the members of the depressed communities. While, Sir, I am in full sympathy with Mr. Mullick's resolution, I, personally, (in this instance I do not speak on behalf of my party) am not justified to lay down that percentage. I am, however, definitely of opinion that a certain percentage of appointments should be given. It would have been better, if the matter of percentage were left to the decision of Government.

I am not giving out a secret, but it is a fact that in spite of Government circulars there have been occasions in which cases of these depressed class men have not been fully considered and that is because their cases were not properly put. Fortunately members of the depressed classes are now nominated on the Selection Committees and are therefore getting opportunities of looking after their interests. But I do not see any reason to hold that because these opportunities are given to them, they are turning out worst members of the services. Up till now can you point out a single case of a member of the backward community, or of the much abused Muhammadan community proving a bad selection? On the other hand, Sir, I think that I have found many persons who, though not qualified according to my friend, Mr. Bannerjee, have proved themselves better Government servants than even the best products of the University. I know, Sir, of the case of a certain munsif who wrote six pages of petition for casual leave

and the District Judge was very anxious to know the name of the writer as it was practically a dissertation which could very well form the theme of a Hibbert Lecture and the writer showed no sense of proportion at all. So, I say that University qualification does not always produce a sense of proportion. I fully support the resolution. I am sorry, however, that we have to speak words in reply to the remarks made by my friends on the other side, which might wound their susceptibilities, although I have not the least intention of offending them. If a community is already there and if we want to take a little more share of the advantages enjoyed by them, that, of course, to a certain extent wounds their susceptibilities.

[At 4-35 p.m. the Council was adjourned for prayer and it reassembled at 4-50 p.m.]

Rai Sahib AKSHOY KUMAR SEN: Sir, in supporting the resolution of Mr. Mukunda Behary Mullick I wish to say a few words. I am in full sympathy with the object of the mover, although I have the privilege to belong to the privileged class. I say privileged, as it has been said by Maulvi Jalaluddin Hashemy. That the reply to arguments for the attainment of swaraj is that if you want swaraj you must be fit for it. If you want to take your share in the administration, you have first got to learn to administer. The demand of the so-called backward classes is just as they are not demanding anything more than that the case of the members of their community possessing the minimum qualification should be considered. The number of these depressed classes is very large in Bengal. I am aware that in the district of Faridpur there are nearly 80 per cent. Namasudras of the whole Hindu population, and that there are many graduates even in the district of Faridpur amongst these people, who seek Government service, but they cannot get anything. So far as I am aware there are only two sub-assistant surgeons belonging to this community who have been able to get into Government service, but I am aware that there are many of these Namasudras who have passed the final examination of the Dacca Medical and Campbell Medical Schools, and they have not got appointments. My submission before the House is that the claim advanced by the honourable mover that some consideration should at least be given when filling Government appointments to these backward candidates. Considering the large percentage of the population of this community, the percentage asked for is not too much. This is all I have to say in support of the resolution and I hope that other members would support it.

Mr. NARENDRA KUMAR BASU: Sir, I am afraid that a good deal of sympathy is being wasted over this resolution. The resolution wants that 20 per cent. of the appointments in the provincial services

be reserved or distinctly set apart for the candidates of the Namasudra and other backward communities as enumerated on page 189, Part I, of the Calcutta University Commission's Report. As far as I have been able to make out there are about 40 different communities enumerated on that page of the Report. If my friend, Mr. Mullick, was advocating the cause of his own community, I could have understood the utility or efficacy of this resolution; but I do not know how Mr. Mullick is better qualified to speak for the other 40 backward communities enumerated than any member of the so-called privileged communities of the Hindus. So far as these 40 or 41 communities are concerned, Mr. Mullick gives us no indication as to how the appointments are going to be divided amongst all these communities. Mr. Mullick gives us no indication as to what, if any, educational qualifications the other 38 or 39 communities out of the 41 communities have. If Mr. Mullick had said straightaway that he wanted a certain percentage of the provincial services for men of his community possessing the necessary minimum qualification, one could have understood his point of view. But speaking for myself, I am not speaking here for any of the so-called privileged communities of Hindus. I submit that there is absolutely no question of a community in anything else but in animosity towards a particular class of Hindus, in all these 41 or 42 communities who are called backward communities in this resolution, and I do not see any reason why any percentage of appointments should be reserved for them. If any, the smallest percentage, say one per cent., of these provincial appointments is reserved for each of these communities, it would come up to about 40 per cent. of the services; then we must have another 56 per cent. for the Muhammadan community—a large community which has community in religion, food, marriage and in other respects,—that would mean that the services would have no room for what are known as the caste Hindus and the services will have to be constituted on watertight compartments for each community to have its representatives there. And what do the words "minimum necessary qualifications" mean? The necessary minimum qualifications for a particular post? I am not in the confidence of the Government, but "necessary minimum qualifications" for each sort of service, if they have to be laid down for each community in a different fashion, then the necessary meaning of "qualification" will be "disqualification:" I oppose this resolution.

Maulvi ABDUS SAMAD: Though I have great sympathy for the depressed and other classes, Sir, in all fairness I cannot support this resolution as it stands because, if the learned mover who speaks for this class, wants some privilege for this class, I would remind him that there is another class as well which is known as the educated class. Now about 95 per cent. of these educated people come from the higher strata of society. They depend for their subsistence and for their

bread, upon service, because they are landless people. Suppose these appointments are divided in proportion to population, what will these people do? Are the depressed and other classes, if they are given special privileges, prepared to divide their land with the educated people? They have much land to live upon, but the educated people have not. They have to earn their livelihood by entering service, so that if this resolution is carried to its logical conclusion it will come to this, that educated people shall have to ask the depressed classes to give a portion of their land to enable them to earn their livelihood. On these grounds I cannot support this resolution.

Maulvi ABDUL HAMID SHAH spoke in Bengali.

[At this stage the Hon'ble the President left the Chamber and Mr. Deputy President took the Chair.]

The Hon'ble Mr. W. D. R. PRENTICE: I am certain that even Babu Jitendralal Bannerjee will sympathise with Mr. Mukunda Behary Mullick in his desire to raise the status of the community to which he belongs and of those numerous communities which are grouped under various names such as backward, depressed and minorities. But I think if he had taken care to examine the wording of this resolution he will see at once that Government could not possibly accept it. He asks that at least 20 per cent. of the appointments be distinctly set apart at the time of every recruitment in all the Provincial Services. As a minor point, I may mention he has included among the Provincial Services, the Co-operative, but there is no Provincial Co-operative Service. For I presume the capital "P" in the Provincial and the capital "S" in Services in this resolution to mean that it is intended to deal with the Provincial Services which are mentioned in the Provincial Service rules. However that is a minor point. A more important point is that the method of recruitment to these Services is laid down by the rules. In many of these services recruitment is by promotion. From the tenor of certain questions asked during this session of the Council it is evident that Mr. Mullick and some people who think like him, consider that even in the case of promotions there should be distinctions of caste and creed. I have stated not once, but several times in this House that Government cannot possibly accept as a principle that promotions should be made by caste or creed. Leaving out the question of recruitment which is done by promotion, we come to the other recruitment that is done by examination or by a selection committee. For the recruitment which is done by examination, there are certain qualifications which are required from candidates before they are admitted to the examination. Part of the difficulty which Babu Jitendralal Bannerjee feels is due to the various meanings which are given in the rules and in practice, to the word "qualification." For example, in the examination held in Bengal for the Bengal Provincial

Service (Executive) and the Bengal Junior Service (Executive), the Excise Service, the Police Service and the Secretariat Clerkship (Upper Division), all the candidates before they can present themselves for examination, have to possess certain educational qualifications. But once the examination is held no candidate who does not succeed in obtaining a certain number of marks in compulsory subjects is held to be qualified for appointment. So you may have people who are qualified to go in for the examination, but as a result of the examination they are not qualified for an appointment. In the case of examinations we take recruits from among those who have qualified in the examination, and we are not prepared to reduce the qualification for appointment below that standard. Even on these qualifications, the last time I examined the figures for the Bengal Provincial Executive Service Examination I found that the backward classes did not do at all badly. For from the figures that we worked out last year, we find that only 5 candidates from these classes qualified. Of these two got appointments, that is to say out of qualified candidates from those communities 40 per cent. got appointments under Government. In the case of the other minority communities the percentage was 37½; in the case of Muhammadans 42½ and in the case of other communities it was about 33; so that under the rules in force at present so far as these services are concerned which are recruited from what we may call the ordinary educated communities not possessing any special technical qualifications, the community which Mr. Mukunda Behary Mullick represents has got a fair share of the appointments. It is impossible to distribute such appointments on a population basis irrespective of whether the candidates from any community attain the minimum requirements which are laid down. I think the figures I have given prove, though the number from the backward classes is very small, that those candidates who attain the qualifications required are treated liberally by Government.

Of course Mr. N. K. Basu did raise a very vital point in which he referred to the number of communities which come under the different headings of backward or depressed classes or whatever you may like to call them. Under the recruitment rules at present in force we have a class which we call the minority community and backward class, and there are 58 communities included in that class. It would be extraordinarily difficult to distribute 20 per cent. of the appointments among all these and I imagine that even if this resolution be passed Mr. Mukunda Behary Mullick will not be at all happy, for obviously we will have to take into account the interests of all the other communities and whatever the result may be it will not serve him better than the present management.

I think it is for necessary to go further into the details of this contentious subject as to whether appointments should be distributed among the communities according to population. Of course

Mr. Mullick's real grievance is that in the Judicial Service the number of officers appointed from his community and the corresponding communities is not as great as he would like. As I have explained more than once in this Council, it is not in the power of Government to alter this and this resolution will not help that community at all. Under the Act the selection of candidates for munsifs is in the hands of the High Court and though we have from time to time discussed with the High Court the principles which should be followed, and we do make from time to time certain suggestions for their consideration, they are the final authority and we have no power to tell them to follow our advice. I think the mover might be satisfied with the knowledge that Government do all they can to recognise the very natural desire of Mr. Mullick and the community he represents to have a larger share in Government appointment and he might be content with my statement that Government already realise the desirability as far as possible of satisfying that desire and will continue to do so. If he accepts that statement he might see his way to withdraw his resolution.

Mr. MUKUNDA BEHARY MULLICK: In view of the statement made by the Home Member I beg leave to withdraw my resolution.

The motion of Mr. Mukunda Behary Mullick was then, by leave of the Council, withdrawn.

Closing of Court business for Asar prayers.

Maulvi ABDUL HAKIM: I rise to move that this Council recommends to the Government that early steps be taken to direct all the law courts including the sessions courts in Bengal to adjourn all cases both civil and criminal for at least 20 minutes after 4 p.m. (local) during the short days of the period of five months from the 1st day of October to the last day of February of every year to enable the Muhammadan litigants, witnesses and jurors to perform their *Asar* prayer in time.

This resolution, though a simple one, is vitally important for the interest of the great community to which I belong.

Perhaps all my colleagues of this House know fully well that the faith of Islam enjoins upon every Mussalman as his bounden religious duty to perform prayers five times daily at stated hours and *Asar* prayer is one of the said prayers. If a Mussalman cannot perform any of these daily prayers except on account of an unavoidable cause defined in our creed, he is considered an unpardonable sinner in the eyes of God. *Asar* prayer takes about 20 minutes time and in long days of the year the time begins from 4-30 p.m. and continues up to 5-30 p.m. or about 6 p.m. (local) at the latest, but in short days of the year a Mussalman should perform his *Asar* prayer at 4 p.m. (local) so that he may finish this prayer about one hour before sunset as enjoined by our scripture.

During the long days of the year the law courts, as I see in mufassal, generally finish their trial or court work about 5-30 p.m. or 6 p.m. at the latest, and hence in these long days Mussalman jurors, assessors, litigants and witnesses do not feel any difficulty in performing their *Asar* prayer after court hours. But in the short days of the autumn and winter seasons, i.e., in the short days of the period of five months from October to February of every year, they cannot perform their *Asar* prayer at 5-30 p.m. or about 6 p.m. at the latest, when mufassal courts generally rise, because in certain months of these two seasons the sun sets before that time. I have personally seen in my own district that in the autumn and winter seasons almost all the law courts go on with their work up to the candle light and some times they go so far as to work one hour or so even after candle light without any stoppage. I may add here that some sessions courts in my district sometimes hold court even on Sundays to lighten the pressure of their allotted works. As far as I know the Mussalman jurors, assessors, litigants or witnesses suffer the same disadvantage in other districts also at the time of *Asar* prayer. The disadvantage is keenly felt in sessions courts particularly, where in the autumn and winter seasons the sessions judges go on with their work without any stoppage till sunset for 3 or 4 hours commencing from about 2 p.m. which is ordinarily the leisure hour for mufassal courts for their tiffins, in which leisure hour Mussalman jurors, assessors, litigants and witnesses can fortunately perform their another prayer called *Zohur* prayer conveniently without taking leave from the court.

I have received complaints from Mussalman jurors, assessors, litigants and witnesses regarding the disadvantage felt by them at the time of *Asar* prayer in those seasons and these complaints have compelled me to bring this resolution here before the legislators of the country. Some jurors told me that one day they were refused leave for *Asar* prayer even after approaching the court for getting it, simply because the day was too short to allow such leave.

On the 1st day of October the sun sets at about 5-46 p.m. and on the last day of February the sun sets at about 5-57 p.m., thus the Muhammadan jurors, assessors, litigants and witnesses cannot perform their *Asar* prayer timely at about one hour before sunset in the months mentioned in my resolution, unless the law courts adjourn all cases both civil and criminal for about 20 minutes after 4 p.m. local.

Government is pledged not to interfere with the religious obligations of any community in this country. As this matter is also a great religious obligation with our community as I said before, I hope Government members will also support my resolution.

I cannot but remind my colleagues of another fact that the Mussalman community has got a very limited number of holidays under this Government. The Mussalmans fast for 29 or 30 consecutive days from

sunrise to sunset in the lunar month of Ramzan of the Hizri year, but unfortunately no holidays or half holidays even, have been granted to them in Government offices or law courts.

I therefore earnestly appeal to all the members of this hon'ble House that they all will support my resolution irrespective of caste, creed, race or colour.

Maulvi ABUL KASEM: I think the time of the Council will be saved if I make a suggestion and my friends on the treasury benches accept it. It may not be very convenient for the general public to suspend the work of the law courts at 4 p.m. for 20 minutes; at the same time there is no denying the truth that Mussalmans having business in court or whose presence in court are necessary do certainly feel great inconvenience and hardship if they cannot say their prayers. It will satisfy the Muhammadans if Government take steps to meet their wishes by issuing a circular to all presiding officers of the courts to the effect that Mussalmans having business in court should be permitted and given all facilities to say their prayers whether that be *Asar* or any other prayer at all times. Some of my friends say they can do so just after dusk, but I say some time in the afternoon, so far as law courts are concerned. Therefore if Government be prepared to make a statement to the effect that they will issue a circular to all presiding officers of courts that every facilities shall be granted to Muhammadan litigants to say their prayers, as is given to members of this Council here, and every officer observes that circular, it will satisfy the members of my community. This is an old, old grievance and I may inform the House that ever since 1913 this sort of resolution is being brought forward from time to time. I myself brought forward one in 1913. I think we should suspend the work of the courts, as it is done every Friday, on other days also for a few minutes, particularly if there are any Muhammadans concerned in it. Therefore I submit that Government should accept our appeal and make a declaration that they are asking all the presiding officers to give every possible facility to the members of the Muhammadan community to say their prayers at proper time.

5-30 p.m.

Maulvi SYED NAUSHER ALI: Sir, I regret very much that I cannot agree with my hon'ble friend Mr. Abul Kasem in the suggestion he has made. But I agree with him to a certain extent that it will be most inconvenient not to allow Muhammadans to say their prayers and not to give them time and facilities for the purpose. I quite agree with him that it is a great grievance with the Muhammadans, but at the same time I do not quite agree with the resolution that has been brought

before the House. I do not think that 20 minutes' time is necessary for saying *Asar* prayer: a much shorter time will be quite sufficient. Nor do I think it will be at all practicable if we accept the suggestion made by Mr. Abul Kasem. It may so happen that in a litigation there may be a Muhammadan defendant, a Hindu plaintiff, Muhammadan witnesses and Hindu witnesses, a Muhammadan pleader and a Hindu pleader, and it will be almost impossible to give effect to his suggestion in view of the serious complications and difficulties that will arise. Therefore, what I would suggest is this: that during the winter season when the days are short the courts may be closed a little earlier—say 15 minutes or half an hour earlier. That will save all complications and difficulties. If my suggestion is acceptable to the House, the period for closing the courts earlier may be fixed. I do not say that the period should be from the beginning of October to the end of February, but it may be for two or three months when the days are the shortest, and 15 minutes earlier than 5 p.m. will be quite sufficient. [A VOICE: Courts are often held in the night.] I understand that the courts are held till 5 o'clock, but if they are held in the night, that is a different matter. I understand that the court hours are from 11 to 5, and if that be so, the courts may be closed 15 minutes before 5, and that will solve all difficulties. Of course, there may be special cases—special occasions—when it may be found necessary to hold the courts till late in the evening. On those special occasions the courts may be adjourned for a quarter of an hour or so after 4-30 p.m. or such time as the presiding officer may decide. It must be understood that every Mussalman who has got to say his prayers finds it very inconvenient if this facility is not given him. In this Council we are allowed some time to say our prayers, and I do not see any reason why the Muhammadan litigant public should not be allowed the same facilities to say their prayers, which is one of their sacred duties.

Maulvi NUR RAHMAN KHAN EUSUFJI: Sir, I should like to support the resolution that has been moved by my friend, Maulvi Abdul Hakim. I am a lawyer myself, and from my personal experience I may say that difficulties are felt by Muhammadans in saying their *Asar* prayers during the short days of winter—beginning from some time in October and lasting till the end of February. Sir, our duties and obligations to our Creator should, I think, count much more than our duties and responsibilities to any mundane authority or power. I should like to remind my friends of the other communities that it is compulsory for the Muhammadans to say their prayers five times a day. They may say that some Muhammadans do not follow this practice, but there is no reason why those who follow this practice, just as it is enjoined by the tenets of Islam, should be debarred from saying their prayers. As a practising lawyer,

Sir, I have myself experienced great difficulties in saying the *Asar* prayers. I have had often to ask the court to allow me a few minutes' time to say my prayers. And to my mind, our duties to our Creator should be placed above all other duties. I am sorry, I cannot agree either with my hon'ble friend Maulvi Abul Kasem or with my friend Maulvi Syed Nausher Ali. I think, a shorter time—say 10 minutes—is sufficient for saying the *Asar* prayers. Of course, the longer the time allowed, the more convenient it would be for the Muhammadan public, but to my mind 10 minutes' time will be sufficient for the purpose.

Sir, my friend Maulvi Abul Kasem has suggested to the House that a circular might be issued to the effect that Muhammadans should be given facilities to say their prayers—not this particular prayer of *Asar* only, but other prayers as well during court hours. But, if I remember aright, there were questions on the floor of this House regarding facilities for saying *Jumma* prayers, and, so far as I remember, the Hon'ble Member-in-charge informed us that the Government-circular in this connection related to the criminal courts only, and that the Executive Government was powerless so far as the civil courts were concerned, as the matter lay with the High Court. I hail from Tangail, and I can say from my personal experience that facilities for saying the *Jumma* prayers are not uniformly afforded on Fridays. When the presiding officer is a Hindu, the bench-clerk a Muhammadan, and one of the parties Hindu, the presiding officer sometimes do not allow the Muhammadan lawyer engaged in the case or the Muhammadan witnesses facilities for saying their *Jumma* prayers. It seems that the presiding officer does not like to sit idle, without any work for the time being. So, Sir, I am very doubtful if such circulars would be fruitful. The only useful thing that can be done for giving facilities to Muhammadans for saying their *Asar* prayers is to pass a resolution of this kind in this House.

As regards the suggestion put forward by my hon'ble friend Maulvi Syed Nausher Ali, I think, it will not be practicable and convenient for all the courts to be closed earlier than usual during the short days of winter. With these few words, Sir, I support the resolution moved by my hon'ble friend Maulvi Abdul Hakim.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, this is one of the more difficult resolutions which come up occasionally and which concern the majority community of this province. As one of the previous speakers has pointed out, great difficulty is likely to arise if definite orders are passed on a matter like this, because in practically every court in Bengal a very large proportion of the people engaged in cases—parties, witnesses, lawyers, and others—come from communities other than the Muhammadan community. The debate has been interesting also from another point of view, inasmuch as it shows that while the Muhammadan

members are agreed in their demand that they should have some sort of facilities for saying their customary prayers, they cannot agree as to the method of bringing this about. I can assure them that they have our entire sympathy, in their desire for facilities for saying their prayers, though we cannot agree to their proposals for the *Asar* prayers.

The last speaker while referring to the *Jumma* prayers mentioned the divergence in practice between the civil and the criminal courts. That, of course, is due to the fact that the Executive Government has power to issue orders in respect of the criminal courts, but the power to issue such orders in connection with the civil courts rests with the High Court. It is not possible, therefore, for Government to issue any orders in the terms of this resolution, which will apply generally to all the courts, without at the same time ignoring the High Court. Indeed, the responsibility lies not so much with Government as with the High Court. We, therefore, consulted the High Court in this matter, and they naturally said that they did not wish to enter into any difficult religious topic. They only desired to point out that in the present state of the province any such order would only increase the difficulties that at present exist, in connection with arrears of cases, and the time taken to dispose of cases of undertrials. They rightly point out that if this resolution is accepted the practical effect will be that the courts would close at 4 p.m. instead of later. The inevitable tendency, if the courts rise at 4 p.m. to allow a section of the community facilities to say their prayers, will be for the custom to come into being that they will not sit again later! The normal time when a court rises is 5 p.m., but Sir, things are never punctual in this country and if a court rises at 4 p.m. for this purpose to sit again later it is doubtful if it will sit again at 4-20 or 4-30 or half an hour after. In the case of certain courts it will be impossible to dispose of the work by 5 and the custom of working till candle-light or long after, will grow up; this will affect all classes of the community, not only the Muhammadan, adversely. That is why Government, in view of the decision of the officers of the High Court who advise us against it, are not prepared to accept the resolution as it stands. We are in sympathy with the object of the resolution that the Muhammadans should be given all the facilities that are reasonable to say their prayers, but the resolution asks for an interval at 4 p.m. According to the information I am given, these prayers may be said any time after 4 p.m. and according to another informant, 5 p.m. is the earliest time. Now, Sir, the normal time for the rising of a court is 5 p.m. and so in normal cases Muhammadans will have the object they desire. One speaker said that difficulty had as a matter of fact been experienced in the matter of saying prayers, and if that is so, it would seem extraordinary, Sir, that there should not have been tabled any resolution on the subject of facilities to be given to Muhammadans for saying their prayers since Maulvi Abul Kasem brought forward a resolution so

many years ago. I submit, Sir, there is nothing at all to show that any general inconvenience is felt in the absence of any orders such as the resolution aims at. In the mufassal it has been my experience and the experience of other district officers also that while at times difficulty may be experienced in the matter by individuals occasionally, yet there is nothing to show that any real general difficulty has arisen. In view of this fact and in view of the recommendation made by the High Court, and in view of the very specific and universal requirement of the resolution that all cases in the law courts be adjourned at 4 p.m. for at least 20 minutes with a view to give facilities to the Muhammadans to say their prayers, I regret that Government are unable to accept the resolution.

The motion of Maulvi Abdul Hakim was then put and agreed to.

Mr. A. F. M. ABDUR RAHMAN: Sir, as the subject matter of my resolution is under the consideration of Government and from the conversation I had with the Finance Secretary I understand that the Government is going to consider the matter favourably, so I do not move my resolution.

The following resolution was not moved and therefore deemed to be withdrawn:—

Mr. A. F. M. ABDUR RAHMAN: "This Council recommends to the Government to sanction—

(*a*) one local holiday (extra day) on the occasion of the Muslim festival of 'Id-uz-zuha' to be observed every year in the executive offices in the district of Dacca, Faridpur, Bakarganj, Tippera, Noakhali, Rajshahi, Dinajpur, Jalpaiguri, Rangpur, Bogra, Pabna, Malda, Khulna, Jessore, Nadia, 24-Parganas, Midnapore and Bankura;

(*b*) one local holiday on the occasion of the Muslim festival of 'Shebebarat' to be observed every year in the executive offices in the districts of Dacca, Mymensingh, Faridpur, Bakarganj, Tippera, Rajshahi, Dinajpur, Malda, Jessore, 24-Parganas and Bankura; and

(*c*) one local holiday (extra day) on the occasion of the Muslim festival of 'Fatiha-e-Duazdaham' to be observed every year in the executive offices in the districts of Dacca, Mymensingh, Bakarganj, Faridpur, Tippera, Rajshahi, Dinajpur, Jalpaiguri, Rangpur, Bogra, Pabna, Malda and Jessore."

The following resolution was called but not moved and therefore deemed to be withdrawn:—

Babu KISHORI MOHAN CHAUDHURI: "This Council recommends to the Government that the issue of the Bengal Government letter No. 660T.—Education, dated the 19th June, 1930, to the Director of Public Instruction, Bengal, directing him to take disciplinary actions with a view to prevent the students from taking part in political agitation, may be revoked in view of the present unrest amongst the students and the general public."

Discontinuance of the issue of annual forecasts of jute crop.

Babu SATISH CHANDRA RAY CHOWDHURY: I beg to move that this Council recommends to the Government that the practice of issuing annual forecasts of jute crop, both preliminary and final, be discontinued henceforth.

Sir, this resolution is a legacy from the last session. The discussion of this subject would have been unnecessary if Dr. Sen's Bill has passed the Second reading.

The most salient provision of that Bill is where it provided for the constitution of a central jute board with the function assigned to it of collecting information especially as regards the estimated total demand for the new crop in the ensuing year [clause 7, sub-clause (*e*)] and the dissemination of that information amongst the cultivators through the various agencies mentioned in the Bill. Whatever difference of opinion arose on the merits of the other provisions—and it cannot be denied that there were honest and serious misgivings about some of its provisions—the utility and the necessity of creating such a board with such functions were never seriously questioned. Historical precedents are also not wanting where such boards have been brought into existence with a view to regulate the supply according to the demand. The institute for the permanent defence of coffee in Brazil may be cited as an instance.

Whatever differences are honestly entertained about restriction of production by legislation, it is now admitted on all hands that restriction of the production is necessary if the crop is to bring an economic price. The Jute Mills Association have adopted the policy of restriction of production to market requirements. Mr. R. B. Laird, while presiding over the Annual General Meeting of the Indian Jute Mills Association, stated "the only effective action lies in the sowing of a small crop next year." Some point to the failure of the restriction of rubber but there it is forgotten that rubber does not enjoy that monopoly which jute does and this makes all the difference.

It is also a recognised fact that State aid and State assistance only can help in regulating production, in directing supplies into the best markets, and in dealing with surplus supplies by the provision and regulation of storage facilities. According to George O'Brien—an authority on Agricultural economics, "there is no part of the marketing process in which the State can render so much assistance as in the adjustment of supply to demand." Where then is the justification for the "*laissez-faire*" policy of the Government and the nervousness of a section of our people at every little interference by the State?

The necessity of the voluntary restriction of production has, however, never been disputed but on the contrary this is being insisted on. The Hon'ble Minister was good enough to tell us that he carried on a propaganda with the same object by distributing leaflets, etc., for which he deserves our best thanks. So admittedly to this extent Government is prepared to go. But to make such a propaganda successful in all years it is necessary that the Government should be in possession of information regarding the world demand and should place that information before the growers so that they can have a clear guidance as to the extent of restriction they are to enforce on themselves. Propaganda or no propaganda a bumper crop with low prices is bound to be followed by a short crop. The problem is how to keep up the balance between demand and supply in the average years which alone can impart a stability to this industry and save the agriculturists from sudden calamity due to miscalculations. It should be remembered by the House that under-production also by putting up prices too high is likely to end in disaster. Nor is the task of collecting such information a difficult one for the Government. The Jute Association has already got into motion a machinery for their own purposes, for the regular supply of the monthly figures of hessian stocks and consumption in America and they have also introduced an arrangement whereby monthly figures of the mills' production and stocks are being collected. These informations can be easily made available to the Government without any cost and these may be supplemented by informations collected from other sources relating to consumptions and stocks in other parts of the world at a moderate cost and trouble.

So long as the Government does not see its way to introduce such a scheme for the benefit of the cultivators as the Jute Association has done for the benefit of its members, the cultivators will remain completely at the mercy of the mill owners and the trades and so long the issuing of the forecasts will continue to produce very mischievous results.

It does not require much argument to prove that the forecasts are calculated only to benefit the speculators and the traders, and work to the serious detriment of agricultural interests. Those who have

watched the fluctuation of the market immediately after the issue of those forecasts can hardly be convinced of its utility except to the traders and the balers. Even this year hon'ble members must have noticed a drop of annas eight in the price of jute per maund after the forecasts were issued.

Apart from the question of the accuracy of these forecasts which are very much doubted they are in many ways misleading. These forecasts give the enemies of the producers, i.e., those whose interests lie all the other way in purchasing at the lowest price—an idea, if a rough idea, of the total production as thereby enable the organised trade and association to regulate their demand to their best advantage while leaving the cultivators entirely in the dark as to the movements of price, etc. It is like stabbing behind one's back. The speculators make the situation still worse. As soon as the forecasts are issued the big capitalists enter into forward contracts on the basis of that and there is brought into existence the powerful combination to keep down prices to the lowest level and the poor cultivators are thus victimised.

6 p.m.

Can the Hon'ble Minister point out any single reason which can prove that these forecasts by themselves are even remotely helpful to the cultivators? If not then they must cease because all Government measures and regulations must be in the interests of the cultivators primarily. They can be tolerated only if the Government assures the House that an organisation will be brought into existence which will enlighten the raiyats on the question of demand or at least that the Director of Industries will be required to do so.

It is an unequal fight and an unequal competition between the organised traders and the mill owners on the one hand and the unorganised and unenlightened cultivators on the other. It is, therefore, all the more incumbent on the Government to take all possible steps, legislative or otherwise, to protect the interest of the cultivators and enlightenment is one method of such protection.

It may be said, Sir, that Government forecasts at least act as a preventive to the issuing of irresponsible statements by the Jute Association on their own account. But such publications cannot carry the same weight as the Government publications and, if they are misleading and incorrect, may be stopped by the Government.

The object of my resolution, however, is to impress on the Government the necessity of placing before the growers information regarding the world demand and if the Government feels unable to do so for reasons of their own then I think it is bare justice that the evils of one-sided forecasts should be avoided.

Babu KHETTER MOHAN RAY: Sir, I rise to support this motion. The practice of issuing annual forecasts of jute crop has been in vogue for some time past. The Government do not issue forecasts of other crops such as, oil seeds, til, etc., in which the people of the province are equally interested. Truth is that these forecasts of jute crop are published every year for the benefit of the jute merchants, not for the benefit of the jute growers. The peculiarity of jute trade is that the producers are all ignorant and illiterate people. They are not acquainted with the conditions of jute trade. The Government do not take any steps to keep them informed about the facts and figures of the jute trade. These forecasts do not benefit the cultivators, because they have not sufficient intelligence and education to understand them. Besides they are not available to this class of people, as they are published in foreign language. The forecasts give out estimated outturn of crops; they do not deal with the probable world demand and stock in hand. The growers grow crops in their lands as their inclinations lead them without having regard to the need of the next market. These forecasts, prepared as they are, at present, not only do no good to the jute growers, but are positively detrimental to their interest. Now let us see how these jute forecasts are prepared. Every district officer sends to the Government his report about the prospect and estimated outturn of crops in his district. He obtains his figures through the Subdivisional Officers, who, in their turn, get figures through the Circle Officers. These Circle Officers get the figures from the presidents of the union boards who collect these figures through the village chaukidars. Now, it will appear that the forecasts which are published every year with so much fuss are the handiwork of village chaukidars—I need not dilate upon the class from which these village chaukidars are recruited. Thus we see it is the figures supplied by the chaukidars on the basis of which the jute forecasts are primarily compiled. In 1925 prices of jute rose very high, unparalled in the history of the jute trade. Some of the merchants suffered serious loss. But the jute merchants took the Government to task and laid the blame at the door of forecasts which, they said, had the effect of raising prices. After this, it is said the officers concerned in the preparation of forecasts were warned against any under-estimate of outturn of crops. The presidents and the chaukidars were also taken to task and were similarly warned for the future. The result is that the presidents and the chaukidars are now-a-days very liberal in their estimates. Even in normal times, crops are liable to damage due to insects, early floods here and there, draught and incessant rains. Besides there are good and bad indifferent lands. But the forecasts, as generally prepared, do not take into consideration the various causes which destroy crops more or less every year.

This year the preliminary forecasts announce that 54 per cent. of the last year's area has been grown with jute. I doubt the accuracy

of these figures. From my experience of the Tippera District, East Mymensingh and Eastern portion of Dacca, I can safely say that not more than six annas of the last year's areas have been grown with jute this year. Crops of the considerable portions of these areas were more or less damaged by early flood in the rivers in May last and also by draught which continued from the middle of March to the middle of April last. It will be seen from what I have said that these forecasts instead of doing any good to the jute growers, positively injure their interests. These forecasts which are prepared with an eye to the benefit of jute trade are generally inflated and make an over-estimate of the crops and should be discontinued, as they are harmful to the cultivators. In its stead a board should be created in order to disseminate necessary informations amongst the growers with respect to the world demand, stock in hand and other figures which are conducive to the welfare of jute growers. This board should be established in order to protect the interest of the jute growers. With these words I support the motion of my friend Babu Satish Chandra Ray Chowdhury.

Mr. J. CAMPBELL FORRESTER: Sir, I am not prepared to accept the statements made by the previous speakers. I remember that when on a previous occasion a resolution of this description was brought forward, it was either withdrawn, or lost on division. I think I am correct in stating, the Bengal Chamber of Commerce recognising the necessity of the jute forecast, contributed something to keep that forecast going. Now, Sir, it is generally admitted to be essential in all countries, in the interest of the manufacturers of the raw material, that they must have some idea of the extent of the crop of the material they manufacture, so that they may be able to make their forward commitments. Prices cannot be fixed with any regard to accuracy unless they are aware of the exact or approximate conditions prevailing.

With regard to the argument that speculation is created by these forecasts, this is not so. There may be small gambling on the figures that are likely to be given out, but the real speculation is in Fatka, and this is generally done by brokers collecting from small speculators a few bales, until the bales total up to 250, thus making one contract for 250 bales. This is where the real evil of Fatka speculation comes in, as these people are mere gamblers, and have nothing whatever to do with the trade. The merchant who having sold, protects himself in Fatka, is not speculating, but protecting himself from loss. The price paid for the finished articles, i.e., gunnies, is generally what controls the price of jute.

I, therefore, oppose this resolution, and I hope the mover may be persuaded to withdraw it.

Mr. C. C. COOPER: Sir, I was surprised to hear the mover of the resolution say something about a fight between the growers and the consumers of jute. I did not know there was a fight, and if there was I cannot imagine, Sir, anything more tragic.

Babu SATISH CHANDRA RAY CHOWDHURY: Sir, I said "competition."

Mr. C. C. COOPER: I am pleased to accept the correction, as there can be no fight, the interests of the jute growers and the interests of the jute consumers being one (Hear! hear!)—they must be one, they cannot be anything else than one, because the two depend on each other, their interests being mutual. Ever since the Council has been sitting, we have heard nothing else but complaints, moans and grumbles about the terrible time that the poor cultivator is going through. If the poor cultivator is going through a terrible time, what is the poor consumer actually going through? If the jute manufacturers were not going through the same bad time, as all manufacturers are going through, my friends may rest assured that the grower of jute would not be going through a bad time. We are all going through a bad time. Our sympathies are with the growers of jute as with ourselves. Our hearts beat as one as we are all losing money. We are all having a bad time—producers, manufacturers, labourers and consumers are all in a very bad way, every body is having a bad time. It is not, however, the fault of the jute forecast. The jute forecast has nothing whatever to do with the world wide economic depression. The jute forecast is a matter of more academic interest than of practical interest. It has been alleged that the jute forecast is very misleading and purposely misleading in the interests of the consumers. I understand the reasons underlying the allegation, but I cannot understand why it should be more to the interest of the consumer than the producer to issue misleading figures!

The gist of these allegations is, of course, that the forecast is a serious over-estimate! The reverse is actually the fact, as generally the forecast is an under-estimate.

I have no hesitation in saying that, having due regard to the amount of jute stored upcountry, in transit, and the abnormal carry over from the previous season, it cannot be truthfully said that there was any serious error in the 1930-31 forecast. As a matter of fact, the relative figures go to prove that the forecast in question was one of the most accurate that has ever been issued.

Even so, we would be quite content to let the forecast go, as it is not a matter of great interest to us, it does not control the price of jute;

it has nothing to do with the price of jute. We do not rely on the Government forecast. It is a matter of interest to us, only in so far as we can see how close our own private forecast is to the Government forecast. We have much the same facility for compiling these figures as Government has. We are just as well off without the Government forecast as with it, except that jute manufacture is not a monopoly of Bengal alone, Bengal does not consume all the jute it produces! There are other markets for consumers outside this country, Dundee, Germany, etc. It is necessary for them to know what the jute crop is. If a private forecast was published by the jute trade, overseas buyers might doubt the accuracy of the figures. But they accept the Government forecast as a check on private figures! Bengal is a jute-producing centre and wants to get at consuming markets, therefore it is pure economics that the producer must let the consumer know what he has to offer, so that they can work together. Every other country in the world issues a forecast of its crops because growers in other countries want their consuming markets to know that they are growing and what they have to sell, but the crop forecasts issued by other countries are not always correct; they get within a few thousand acres or a few thousand bales, but they are not absolutely correct. America and other countries have better organisations and the general physical conditions of the country make it very much easier to collect information for the issue of forecasts, but in India, where very great practical and physical difficulties do exist, I think it is perfectly astonishing that Government are able to produce as good a forecast as they have done. They may not be perfect, but on the average they are good.

One member referred to the fact that on the publication of the jute forecast, the price of jute went down. It may be so, I do not know: the decline has not interested the manufacturer, to which the forecast has made little difference. As regards the question of collection of statistics of the world's demand for jute, there I quite agree with the Hon'ble Member if it could be done! If the Indian Jute Mills Association could collect correct statistics of what, within a few thousand bales, is going to be the world's demand in jute, we should all be very glad! The Association does its best to collect correct information but that information is not private property. We get the information primarily for our own needs, but it is open to everybody to get the information. There is nothing secret in it. But to ask Government to prepare a forecast of the world's demand for jute, is another question. For years we have tried to collect full information concerning the trade, and where we have failed, Government could not succeed, as I do not think it would be easier for them to obtain information than it is for us. I would point out that one check of the world's consumption of jute is the exports that go from Chittagong and Calcutta; which figures are always available to the cultivators!

As I began so I end on the one note that the interests of both producer and consumer are one, the producer is as much part of the jute trade as is the consumer, we are both in it for the common end to try and make money!

Mr. SHANTI SHEKHARESWAR RAY: Sir, Mr. Cooper has spoken as a capitalist on behalf of the jute industry, but I am afraid he has not taken up a very logical position. In one breath the hon'ble member says we do not accept the forecast published by the Government———

Mr. C. C. COOPER: On a point of order, Sir. I did not say that. What I said was that we do not rely on the Government forecast. We have our own forecast.

Mr. SHANTI SHEKHARESWAR RAY: Mr. Cooper says that he takes his own forecast and that he has his own organisation to collect that information. At the same time he opposes the suggestion that this forecast should be closed down. I think the idea behind this resolution is that if the publication of the forecast is not in the interest of raiyats of Bengal then why should Government money and Government time be spent over the matter? If the jute industry or the consumer think that certain statistics are necessary for their purposes, it is open to them to spend money. I have heard one of the members say that they contributed to a certain extent towards the expenses of compiling the forecast. Practically they accept the position that they are liable for the expenses in securing the forecast. If that is the position, that they want to pay for procuring this information, I have no objection to letting them have it. Then another point which I should emphasize is this: that the publication of this forecast will help the consumers. We ought to help the raiyats by getting some sort of information as regards the demand, otherwise it is placing the raiyat in a rather disadvantageous position. Well, so far as the publication of forecast is concerned, from my little experience I can say that it serves very little useful purpose except helping some people to indulge in legalised gambling. These are the lots of people who buy jute shares on the basis that the forecast will show a much small acreage. Well, with good luck and perhaps with a good intuition, some people are able to fix the right figure of acreage and they can make some money, but in the end this forecast does not help the grower or anybody else. For instance, the other day, I believe, the market expected that there would be 22 lakhs of acres of jute, but the forecast was only about 19½ lakhs of acres. The price of jute mill shares went up for a day, but again came down. So my position is, that this Government by publication of this forecast only helps these people who want to get

rich quickly to indulge in the gambling spirit. The Government has certain responsibility in the matter of publishing this forecast. If a forecast is to be published, it ought to be published neither in the interest of the grower nor that of the consumer. The Hon'ble Minister said the other day, that last year the publication of the forecast did not affect the price adversely because the forecast was much less than the actual amount produced in the country. If you cannot have the correct figure, I think, it is better for Government not to identify itself with a questionable matter of this nature.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, it is obvious that this resolution has been inspired by the present jute slump, and my friend in bringing it forward has been actuated by a desire to obtain for the cultivator a better return than he can now obtain for his produce.

I have, and I feel sure that every member of this House has, every sympathy with this desire of my friend.

As I said, however, in connection with the Jute Bill the other day, the slump in jute is one of the effects of a world-wide trade depression which has not only affected jute but has brought about a collapse in the prices of all other commodities.

That being so, Sir, I do not see how the discontinuance of the publication of the jute forecast would assist in achieving the aim my friend has in view.

As a matter of fact, Sir, I submit that such a step would not even be in the best interest of the cultivator himself as I shall presently explain to the House.

One of the complaints against the jute forecasts is that they are erroneous and have an unsettling effect on the market.

It is assumed by those who criticise the forecast on this ground that the forecast is an exact calculation which ought always to prove accurate when checked by actual results.

I would point out, however, that a forecast is nothing more nor less than an estimate of the probable outturn on the basis of the information available, and that if it is correct within, say, 7 per cent., it is an accurate forecast for all practical purposes.

Actually the forecasts published by the Department of Agriculture have been an accurate estimate judged by this test, and this has been due to the care taken by the department to prepare the forecast with as much accuracy as possible.

Then, Sir, there are those who regard the forecast as an over-estimate made in the interest of the trade.

There can be no stronger refutation of this allegation than the fact that the jute forecasts published by the Department of Agriculture have invariably been an under-estimate, although within the margin of 7 per cent.

Although the forecast figures are just as likely to be an over-estimate, as an under-estimate, the reason why practically all forecasts have been under-estimates is the desire on the part of Government to give the cultivator the benefit of doubt in the matter.

It has, however, been alleged that the jute forecast of 1930, at least, was inaccurate and an over-estimate.

But this is not a fact, Sir, as in the condition of the trade which obtained throughout that year, the whole of the crop could not possibly come into the market, and that in consequence there has been a large carry over.

Then, Sir, it is commonly assumed that these jute forecasts are published exclusively in the interest of the trade, and that they do not benefit the cultivators of jute in any way.

In support of this allegation, it is sometimes advanced as an argument that a similar procedure in connection with other forecasts is not adopted.

But, Sir, the reason why special measures are taken to compile the jute forecast is that there is a definite check in the Bengal Chamber of Commerce figures, and the special procedure is necessary on this account.

Further, in the case of rice or sugar or pulses or of any of the numerous forecasts issued, excepting jute, there is no such check as the Bengal Chamber of Commerce imposes.

With rice, for instance, such a check will not be possible as the bulk of the rice crop does not come into a single centre like Calcutta.

Most of it is eaten in the country while there is a small export partly by sea and partly by railway or river to upcountry.

As regards the allegation that the jute forecasts are made in the interest of the trade and do not benefit the cultivators, I maintain, Sir, that the jute forecasts like other crop forecasts are for the benefit of all concerned with the production, marketing and manufacture of jute.

As a matter of fact, Sir, actually the publication of the jute forecast has been more in the interest of the cultivators than that of the trade.

As is well known, all large firms in the jute trade make their own forecasts on which they work independently of the Government forecast. To these firms the continuance of the Government forecast is a matter of indifference.

But the absence of a Government forecast, which is impartial, would give an opportunity to any one or to a group of people or firms to make and publish forecasts suiting their particular ends.

This is by no means an unlikely consequence which would certainly not be to the interests of the cultivator.

I hope, Sir, I have made it clear that the Government forecast is the only impartial information which the raiyat can have regarding the amount of jute and on which he can base his own estimate as to its price.

Government would be glad if it were possible to discontinue the publication of these forecasts which afford an excuse for unfounded allegations against Government officers employed in the compilation and the publication of these forecasts.

But every civilised country publishes forecasts of all important crops grown therein.

Further, as I have already explained, the cultivators are much more benefited by the publication of these forecasts than the trade.

In these circumstances and in view of the necessity of having some impartial check on the figures published by the jute-trading firms, it is not possible to discontinue the publication of these forecasts. Further, these forecasts are, as I have already shown, on the whole, accurate for all practical purposes and considering that the annual additional cost incurred in the compilation of these figures is only over Rs. 2,000, it is highly complimentary to the care and industry of the officers employed in compiling these statistics that they are so accurate.

I would mention in this connection that in paragraph 527 of their Report the Royal Commission on Agriculture recommended that in the permanently-settled areas of Bengal, Bihar and Orissa and Assam, an attempt should be made to extend to the other crops the methods now in use in collecting the statistics of jute production.

The Royal Commission on Agriculture, therefore, obviously approved of this method while the Government of India have in view to refer the question of further improvement in the method of obtaining the forecast figures to the Central Jute Committee, when formed.

But till then I maintain it would be by no means desirable to discontinue the publication of the jute forecasts.

Then, Sir, with regard to the suggestion made by my friend, Babu Satish Chandra Ray Chowdhury that a forecast as to the world's demand for jute should be compiled and published, I would refer my friend to what I said on the point in the course of the discussion in connection with the voting of the grant under "General Administration" in March last.

The feasibility of taking any action in the direction suggested would doubtless receive consideration from the Central Jute Committee, when constituted.

I trust, Sir, that in view of this explanation, my friend will agree to withdraw his resolution. Otherwise, I must oppose it.

Babu SATISH CHANDRA RAY CHOWDHURY: As I find it is likely that this matter of supplying information will be considered, I beg to withdraw my resolution.

The motion of Babu Satish Chandra Ray Chowdhury was then, by leave of the Council, withdrawn.

Mr. DEPUTY PRESIDENT: As there are only 10 minutes left and the next resolution is a very important one I do not think any useful purpose will be served by taking it up now.

Adjournment.

The Council was then adjourned till 3 p.m., on Monday, the 3rd August, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Monday, the 3rd August, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council and the three Hon'ble Ministers and 107 nominated and elected members.

Starred Questions

(to which oral answers were given).

Opening of a khal from Katakhali to Bhara Sangu in Chittagong.

***111. Haji BADI AHMED CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Irrigation Department be pleased to state whether he is considering the desirability of having a khal opened soon in Chittagong from Katakhali in Anwara police-station to Bhara Sangu to facilitate easy communication by river?

(*b*) If the answer to (*a*) is in the affirmative, have the Government considered the point whether the cost of such irrigation can be made up gradually by the income raised by putting two toll-stations on two sides of the khal?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Ghuznavi): (*a*) Investigation is in progress, but before it can be completed it will be necessary to take gauge readings during this monsoon and the following dry season.

(*b*) Not yet. This cannot be done until the probable cost of the scheme has been ascertained.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state since how long the investigation has been in progress?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Since one year.

Managers of Court of Wards' estates.

*112. **Babu SATYENDRA KUMAR DAS:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) the principle followed in appointing Managers of Court of Wards' estates; and

(*ii*) whether it is a fact that outsiders with little or no experience in zamindari management have been appointed as Managers of Court of Wards' estates in supersession of the claims of more deserving candidates with greater experience in the management of Court of Wards' estates?

(*b*) Will the Hon'ble Member be pleased to lay on the table a statement giving names, qualifications and experience of the persons appointed as Managers of Court of Wards' estates during the last three years, with the names of estates concerned?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) (*i*) The principle is laid down in rule 25 of the Bengal Wards Manual, 1928.

(*ii*) No.

(*b*) A statement giving the necessary information is laid on the table.

Statement referred to in the answer to clause (b) of starred question No. 112.

	Names.	Qualification.	Appointment under Court of Wards.
1.	Mr. P. J. Griffiths, I.C.S. ..	Collector ..	Chief Manager, Dacca Nawab Estate and Bhowal.
2.	Mr. L. B. Burrows, C.B.E. ..	Ditto ..	Manager, Kasimbazar Raj Wards' Estate (now Commissioner, Burdwan Division).
3.	Mr. E. Bignold ..	Late General Manager, Mymensingh.	Manager, Bhowal Estate.
4.	Babu Phanindra Bhusan Mitra	Sub-Deputy Collector	Manager, Mahisadal Wards' Estate.
5.	Babu Dasurathi Dutta ..	Retired Deputy Collector	Manager, Bhowanipur Wards' Estate (resigned).
	Babu Jadab Chandra Banerji	Late Superintendent, Dacca Nawab Estate.	Manager, Bhowanipur Estate.
6.	Babu Madhu Sudan Das ..	Retired Deputy Collector	General Manager, Mymensingh.
7.	Babu Shyamananda Banerjee	Sub-Deputy Collector ..	General Manager, Chittagong.
8.	Rai Sahib Binode Lal Ghosh	Late Assistant Manager, Bhowal Estate.	General Manager, Tippera.

	Names.	Qualification.	Appointment under Court of Wards.
9.	Maulvi Muhammad Siddique	Settlement Kanungo ..	Manager, Nawab Estate, Comilla (Tippera).
10.	Babu Durgadas Mukharjee ..	Pre-Court Manager, Maldwar Estate.	Manager, Maldwar Estate.
11.	Babu Dwijendra Mohan Mukherjee, M.A., B.L.	Late Secretary, District Board, 24-Parganas.	Manager, Kakina and Tushbhandar Estates.
12.	Babu Nayanendra Chandra Sen, B.SC.	(Not available, post filled by Collector).	Manager, Khararia, Estate.
13.	Babu Manoranjan Maitra ..	Deputy Magistrate and Deputy Collector.	Additional Manager, Burdwan Raj Estate.
	Rai Kasiswar Chakravarty Bahadur.	Ditto ..	Ditto.
14.	Babu Pramatha Nath Ghosh	Pre-Court Manager of the Estate.	Manager, Chetlangia Estate.
15.	Babu Birendra Lal Ray ..	Pre-Court Manager of the Estate.	Manager, Nadia Estate.
16.	Babu Rajendra Nath Banerjee	Ex-Settlement Kanungo, lately Zamindari Manager, Indian Iron and Steel Company.	Manager, Tagore Estate.

Election of members of the Khulna Sadar local board from Dumuria police-station.

***113. Maulvi SYED JALALUDDIN HASHEMY:** (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that the election of members of the Khulna Sadar local board from Dumuria police-station was first held on the 7th and 8th November, 1930?

(*b*) Was it a fact that candidates, Babu Aurobindo Ghose, B.L., Maulvi Ahmed Ali, Babu Hiralal Ghose, B.L., Maulvi Abdul Wahhab, Babu Jaga Mohan Biswas and Babu Bhupendra Nath Ghose secured 578, 560, 473, 313, 257, and 51 votes, respectively, but the election was set aside?

(*c*) Is the Hon'ble Minister aware that re-election from the same thana took place on the 3rd and 4th March, 1931?

(*d*) Was it a fact that candidates, Babu Aurobindo Ghose, B.L., Maulvi Ahmed Ali, Babu Hiralal Ghose, Babu Jaga Mohan Biswas, Maulvi Abdul Wahhab, Babu Bhupendra Nath Ghose, secured 809, 578, 423, 267, 116, 41 votes, respectively, and this re-election was also set aside?

(*e*) Is the Hon'ble Minister aware that no election was held for the third time, but requisite number of members were appointed by nomination?

(*f*) Is it a fact that Maulvi Abdul Wahhab and Babu Jaga Mohan Biswas, who were lowest on the polls, were nominated by the Government?

(g) Will the Hon'ble Minister be pleased to state the reason of not nominating persons who secured the largest number of votes twice, and some of whom were the sitting members?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (a) The election was begun but not completed as it was interrupted by disturbances.

(b) There was no candidate of the name of Aurobindo Ghose. The figures for other candidates do not agree with those reported by the Magistrate, presumably as the result of the disturbance of the election.

(c) The election was begun again and failed for the same reason.

(d) See reply to paragraph (b). In this case too the figures do not agree with those reported by the Magistrate.

(e) Yes.

(f) Maulvi Abdul Wahhab and Babu Jaga Mohan Biswas were appointed under section 10 of the Local Self-Government Act, III of 1885. The expression "lowest in the poll" would hardly apply to an incomplete election, but on both occasions there was a candidate who had recorded fewer votes when the proceedings were stopped.

(g) The Commissioner acted in the exercise of his discretion under powers vesting in him under section 10 of the Local Self-Government Act, III of 1885.

Maulvi SYED JALALUDDIN HASHEMY: With reference to answer (b), will the Hon'ble Minister be pleased to state whether there was any candidate of the name of Aurobindo Bhattacharya?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state what was the nature of the disturbance?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I want notice.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state whether the numbers of votes secured by the candidates, as reported by the District Magistrate, agree with those mentioned in the question?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state as to how many times the disturbance took place?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Twice.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state why in view of the fact that the Collector's figures agree with those given in the question, the persons securing the smallest number of votes were nominated?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, my point is this: that the facts given in the question do not agree with the Collector's report.

Recovery of arrears of rent from the tenants of Wards' estates, Rangpur, by certificate procedure.

***114. Kazi EMDADUL HOQUE:** (*a*) Is the Hon'ble Member in charge of the Revenue Department aware of a feeling of discontent prevailing amongst the tenants of the Wards' estates in the district of Rangpur, over the issue of innumerable certificates, filed without proper court-fees, for recovery of arrears of rent at this time of great economic distress?

(*b*) If so, do the Government contemplate holding an inquiry into the legality or otherwise of such procedure?

(*c*) Has this unusual procedure been adopted on account of the financial stringency of the estates concerned?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Government are aware that the arrears of rents of Wards' estates in district Rangpur outstanding for more than a year are very high, that a large number of certificates have been issued this year, and that prepayment of *ad valorem* fees has not been required.

(*b*) No.

(*c*) The financial stringency of the estates caused by the tenants paying less than 10 per cent. of the total demand rendered it necessary to issues certificates against habitual defaulters and to prevent rents becoming time-barred.

Allowances of the salaried officers of Central Co-operative Banks for work in connection with the Bengal Banking Enquiry Committee.

***115. Maulvi MUHAMMAD HOSSAIN:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to place on the table a statement containing the rate of allowance or any other remuneration which the salaried officers of Co-operative Central Banks of this province as members of the Banking Enquiry Committee and as witnesses appearing before the Committee were allowed to draw?

(b) Will the Hon'ble Member be pleased to state whether the said allowance or remuneration was in addition to their usual rate of salaries and allowances?

(c) If so, what are they in each case?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. A. Marr): (a) No salaried officers of Central Co-operative Banks appeared before the Bengal Banking Enquiry Committee as witnesses. Only one salaried officer of a Central Co-operative Bank served as a member on the Committee. He was allowed to draw a remuneration of Rs. 20 for each day on which the Committee worked, in addition to travelling allowance on the scale admissible to a first grade officer and daily allowance at the rate of Rs. 7-8 during tours in the districts.

(b) Yes.

(c) The remuneration drawn from the Central Bank was Rs. 300 a month only and no allowances.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state why in addition to his handsome salary a large sum in the shape of Rs. 20 per diem was given to the officer?

The Hon'ble Mr. A. MARR: It was given as a sort of remuneration for extra duties involved.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to give the name of the officer?

The Hon'ble Mr. A. MARR: I do not remember.

Recruitment of Sub-Inspectors of Police from the Namasudra community.

***116. Mr. MUKUNDA BEHARY MULLICK:** Will the Hon'ble Member in charge of the Police Department be pleased to state—

(i) the number of appointments made as sub-inspectors of police by direct recruitment in 1930 on the nominations of the different authorities concerned;

(ii) the qualifications of the persons appointed as such;

(iii) the number of candidates for the post of sub-inspectors of police from amongst the Namasudra community and other backward communities (as enumerated on page 189, Part I of the Calcutta University Commission's Report) from the different districts of Bengal;

(*iv*) the number of nominations made from amongst these candidates by the several nominating authorities;

(*v*) the qualifications of the aforesaid candidates; and

(*vi*) the number of appointments made from amongst them?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*i*) 33.

(*ii*)

M.A., B.L.	...	1
B.A.	...	9
B.Sc.	...	5
B. Com.	...	1
I.Sc.	...	3
I.A.	...	3
Mutric.	...	11
		33

(*iii*) There were 27 candidates belonging to the Namasudra community and 9 belonging to other backward communities.

(*iv*) Four Namasudras only were nominated.

(*v*) The qualifications of the 27 Namasudra candidates were as follows:—B.A.—6, I.A.—8, I.Sc.—1, Matriculation—11, non-Matriculation—1. The qualifications of the four Namasudras nominated were as follows:—B.A.—1, I.A.—2, I.Sc.—1.

(*vi*) Two Namasudras.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state what the ordinary educational qualifications are for appointment as sub-inspectors of police?

The Hon'ble Mr. W. D. R. PRENTICE: I would refer the member to the Police Regulations, which will be found in the Library.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state whether there is any age-limit for such appointments?

The Hon'ble Mr. W. D. R. PRENTICE: I would again refer the member to the Police Regulations.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state the age of the first candidate, *viz.*, the M.A., B.L.?

The Hon'ble Mr. W. D. R. PRENTICE: I want notice.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state whether Government consider that the candidates from the backward classes are less qualified for the post of sub-inspector of police?

The Hon'ble Mr. W. D. R. PRENTICE: Government do not select the sub-inspectors.

New Dum-Dum Municipality.

***117. Mr. A. F. M. ABDUR-RAHMAN:** (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that a petition regarding some complaints of the Dum-Dum Municipality was made to him?

(*b*) Is it a fact that in that petition the rate-payers—Europeans, Hindus and Muhammadans—wanted the said Dum-Dum Municipality to be amalgamated with South Dum-Dum which practically surrounds the former municipality?

(*c*) Is it a fact that the rate-payers, in case the amalgamation be not effected at an early date, prayed for the introduction of an elective system from the next term, i.e., from the beginning of April, 1932, when the new Board may sit?

(*d*) Is it a fact that a strong representation signed by almost all the local gentlemen—Europeans and Indians—as also Managers of Messrs. Jessop & Co., Gramophone & Co.—was sent to the Secretary, Local Self-Government Department, in October, 1928, i.e., before the creation of the new Dum-Dum Municipality, to amalgamate the then Dum-Dum Cantonment with South Dum-Dum?

(*e*) If the answer to (*d*) is in the affirmative, what is the reason which led the Government in answer to unstarred question No. 85 of the 14th August, 1930, to say that "the balance of advantage was held to lie in forming a separate municipality *regard being had particularly to the wishes of the inhabitants of the area*"?

(*f*) Will the Hon'ble Minister be pleased to state whether he would consider the advisability of taking into consideration all the above facts?

(*g*) What action do the Government intend to take, regard being had to the short time before the termination of the present Board of the new Dum-Dum Municipality?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) A petition was received and forwarded to the Commissioner for his report.

(*b*) This was included in the subject-matter of the petition. It should not be assumed, however, that this represents the desire of the majority of the Dum-Dum rate-payers, as it is not known how many such rate-payers were signatories to it.

(*c*) This was included in the subject-matter of the petition.

(*d*) Representations in this sense were received, including one from the firm mentioned, but it is not clear that they were signed by "almost all the local gentlemen."

(*e*) This statement was based on the report of local officers supported by the fact that no representation has been received under section 9 of the Bengal Municipal Act from the Commissioners of the Dum-Dum Municipality for amalgamation with South Dum-Dum.

(*f*) Certainly.

(*g*) Government will consider what action, if any, is necessary on receipt of the Commissioner's report.

Criminal cases disposed of by executive officers of Sadar subdivision of Bankura.

***118. Babu SATYA KINKAR SAHANA:** Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) the number of court rooms and the number of executive officers (Deputy Magistrates, Sub-Deputy Magistrates and Honorary Magistrates) in the Sadar subdivision of the Bankura district;

(*ii*) the number of criminal cases on the files there during the year 1921 and during the year 1930; and

(*iii*) the number of such cases decided by the several officers during the year 1930?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*i*) Seven court rooms and 12 officers including the District Magistrate, Assistant Magistrate and Sadar Subdivisional Officer.

(*ii*) Number of cases during 1921—2,334.

Number of cases during 1930—2,988.

(*iii*) 2,841.

Grants to girls' schools to purchase buses.

*119. **Mr. S. M. BOSE:** Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing—

(*i*) the names of the girls' schools in Calcutta to which grants towards the purchase of omnibus were made in each year from 1924-25 to 1930-31;

(*ii*) the respective amounts of such grants;

(*iii*) the proportion of the grant made towards the total cost of the omnibus; and

(*iv*) the conditions, if any, attached to these grants?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): A statement showing in detail the information required is laid on the table.

A statement referred to in the answer to starred question No. 119, showing the names of Girls' Schools in Calcutta to which grants were made during the years 1924-25 to 1930-31, for the purchase of buses.

Names of Girls' Schools	Amount of grant.	Proportion of the grant made towards the total cost of the bus.	Conditions, if any, attached to these grants.	Remarks.
1	2	3	4	5
	Rs	Rs.		
1. Victoria Institution ..	4,000	4,000—5,500	....	Sanctioned in 1924-25.
2. Brahmo Girls' School ..	5,000	The entire cost was met by Government.	The entire cost of running expenses should be met from bus fees. Depreciation charge should be set apart in a separate account.	Sanctioned in 1925-26. Rs. 4,500 was also sanctioned in 1922-23 for the purchase of a motor bus.
3. Ballygunge Hindu Girls' School.	2,000	2,000—3,000	Ditto	Sanctioned in 1925-26.
4. Sakhawat Memorial Girls' School.	5,000	The entire cost was met by Government.	....	Sanctioned in 1926-27.
5. Sakhawat Memorial Girls' School.	4,725	4,725—5,125	....	Sanctioned in 1927-28.
6. U. F. C. Duff School ..	3,000	3,000—3,299	The entire cost of running expenses should be met from bus fees. Depreciation charge should be set aside in a separate account.	Sanctioned in 1928-29.
7. United Missionary Girls' High School.	3,000	3,000—3,500	Ditto ..	Sanctioned in 1929-30.
8. Miman Memorial Girls' School.	2,000	2,000—4,000	Ditto ..	Ditto.
9. Gokhale Memorial School	2,000	2,000—4,000	Ditto ..	Sanctioned in 1930-31.

Reverend B. A. NAG: Will the Hon'ble Minister be pleased to state why no conditions were attached to the grant to the Victoria Institution and to the two grants to the Sakhawat Memorial Girls' School?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Babu SATYENDRA KUMAR DAS: Will the Hon'ble Minister be pleased to state with regard to answer (*i*), whether the girl students of the Dacca Eden Female School experience inconveniences and difficulties in attending school for want of a motor-bus?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes.

Babu SATYENDRA KUMAR DAS: Will the Hon'ble Minister be pleased to make a similar grant for the said school on receipt of an application?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Certainly, as soon as funds are available.

Proposal to make Dacca an examination centre for State Medical Faculty Examination.

***120. Babu SATYENDRA KUMAR DAS:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the Government have received a representation submitted by the guardians of the students of the Government Medical Schools?

(*b*) Do the Government contemplate opening a centre at Dacca for the convenience of students appearing in the State Medical Faculty Examination from the Government Medical Schools at Dacca, Mymensingh and Chittagong?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reasons for not complying with the prayers of the guardians?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) The only paper of this nature traceable is a communication from the non-official members of the Selection Committee for admission to the Dacca Medical School in 1928.

(*b*) Not at present. Government are informed, however, that the question is under the consideration of the State Medical Faculty, and any proposals made by the Faculty will be examined in due course.

(*c*) Does not arise.

Babu SATYENDRA KUMAR DAS: With reference to answer (*b*), will the Hon'ble Minister be pleased to see that action on the proposal made by the State Medical Faculty is expedited?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I would leave the matter to the State Medical Faculty.

Unstarred Questions

(answers to which were laid on the table).

Settlement of land in the Sundarban area by Colonisation Officer, Diamond Harbour.

89. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) how many bighas of land have been settled with the tenants in the Sundarban area by the Colonisation Officer, Diamond Harbour;

(*ii*) how many bighas of such land have been given to the Mussalmans and how many to the Hindus; and

(*iii*) what is the proportion between the Hindus and Mussalmans in the said area?

(*b*) Is the Hon'ble Member contemplating patronising any scheme of reclamation of these waste lands carried on by the Mussalmans on a co-operative basis?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) (*i*) 21,681 bighas.

(*ii*) Mussalmans—2,888 bighas.

Hindus—18,793 bighas.

(*iii*) The proportion of Mussalmans to Hindus is 8:53.

(*b*) No such proposal has been received by Government.

Bengal Library.

90. MUNINDRA DEB RAI MAHASAI: Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing—

(*i*) the functions of the Bengal Library; and

(*ii*) qualifications and grade of the Librarian and other subordinates and the period of their service at the Bengal Library?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*) The Librarian, Bengal Library, receives and disposes of books delivered in accordance with section 9 of Act XXV of 1867 and keeps the catalogue of books referred to in section 18.

(*ii*) A statement is laid on the table.

Statement referred to in the answer to clause (ii) of unstarred question No. 90.

Librarian.—The Librarian is an M.A. of Calcutta University. He is a member of the Bengal Educational Service, and has been in this post since 19th August, 1920.

Staff.—*Head Reader.*—Babu Radha Kinkar Banerjee, a B.A. with distinction. Grade Rs. 125—5—175. Has been serving in the Bengal Library from 2nd January, 1914, and in the post of the Head Reader from 16th September, 1923.

Assistant Readers.—Maulvi Abdul Lateef. Read up to the F.A. standard. Grade Rs. 60—4—100. Has been in the Bengal Library from 20th May, 1908.

Babu Phanindra Nath De. Is a B.A. and knows Oriya, Assamese and Hindi. Grade Rs. 60—4—100. Has been in the Bengal Library from 16th July, 1921.

Babu Ramesh Chandra Neogi. Is a B.A. with Honours in Sanskrit. Grade Rs. 60—4—100. Has been in the Bengal Library from 2nd January, 1924.

Clerk.—Babu Patit Paban Mukherjee. Read up to the Entrance class. Grade Rs. 45—45—50—3—110—5—120. Has been in the Bengal Library from 1st August, 1925. (He was transferred to the Bengal Library from the office of the Inspector-General of Registration, Bengal, who up to 30th July, 1925, was entrusted with Book Registration work.)

Assistant Clerk and Typist.—Babu Praphulla Kumar Chakravarti. I.A. Grade Rs. 40—40—45—5/2—100. Has been in the Bengal Library from 18th July, 1922.

Assistant Clerks.—(1) Muhammad Hossain. Read up to the B.A. standard. Grade Rs. 40—40—45—5/2—100. Has been in the Bengal Library from 27th March, 1928.

(2) Shafiquer Rahman. Read up to the B.A. standard. Grade Rs. 40—40—45—5/2—100. Has been in the Bengal Library from 21st September, 1927.

Assistant Clerk (Leave Reservist).—Babu Sukumar Banerjee. Is a B.A. Grade Rs. 40—40—45—5/2—100. Has been in the Bengal Library from 2nd October, 1928.

Gifts of occupancy holdings to evade payment of landlords' transfer fee.

91. Dr. NARESH CHANDRA SEN GUPTA: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state the figures showing the number of conveyances and gifts of occupancy holdings every year from 1925 to 1931?

(*b*) Is it a fact that since the passing of the Bengal Tenancy (Amendment) Act there has been a large increase in the number of gifts in comparison with the number of conveyances of occupancy holdings?

(*c*) Is the Hon'ble Member aware that in a large number of cases fictitious gifts are resorted to for the purpose of evading payment of landlords' fees?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) The figures prior to the date on which the Amended Bengal Tenancy Act came into force are not available. The following table will show the figures since the amended Act has been in force:—

	Conveyance.	Gift.
April to December, 1929	79,929	2,649
January to December, 1930	129,184	19,273
January to May, 1931	51,714	11,020

(*b*) Yes, but figures showing the comparative figures for the period before the passing of the amended Act are not available.

(*c*) No.

Numbers of admissions into Presidency College, Calcutta.

92. Mr. NARENDRA KUMAR BASU: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state the numbers of admissions into the 1st year and 3rd years classes of the Presidency College, Calcutta, in 1929, 1930 and 1931?

(*b*) How many of them passed the Matriculation and the Intermediate Examinations, respectively, in the 1st, 2nd and 3rd divisions?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) and (*b*) A statement is laid on the table.

Statement showing the particulars required in reply to unstarred question No. 92.

Session.	Admitted to 1st year Intermediate Classes.			Total.	Admitted to 3rd year Classes.			Total.	Remarks.
	First Divn.	Second Divn.	Third Divn.		First Divn.	Second Divn.	Third Divn.		
1	2	3	4	5	6	7	8	9	10
1929-30 ..	203	1	Nil	204	199	56	Nil	255	
1930-31 ..	151	23	3	177	135	59	9	203	
1931-32 ..	169	22	Nil	191	100	36	3	139	The admission not yet closed

Inconveniences of passengers of Nalmuri steamer station.

93. Rai DEBENDRA NATH BALLABH Bahadur: (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state whether he is aware—

(*i*) that the Madaripur subdivisional headquarters is about eight hours' journey from the steamer station Nalmuri, but that the intending passengers for Nalmuri have to wait at Nandi Bazar, the connecting intermediate station, for about 23 hours, just missing the Barisal-Dacca mail steamer by an hour or so;

(*ii*) that the Faridpur district headquarters is about ten hours' journey from the steamer station Nalmuri, but that the intending passengers for Nalmuri have to wait at Chandpur for about 19 hours;

(*iii*) that the withdrawal of the connection of the up Barisal Express with the up Barisal-Dacca Mail at Barisal since September, 1930, has resulted in the detention of passengers from Calcutta to Nalmuri to the extent of 19 hours at Barisal, or, in the alternative, for 13 hours at Chandpur;

(*iv*) that not only the inhabitants of the thickly populated Idilpur pargana at Nalmuri but the passengers for the steamer stations Haturia, Badartuni, Sabipur, and Kalekhanhat also have to encounter the same difficulties and inconveniences; and

(*v*) that the police officers and the members of the Madaripur local board travelling from Madaripur to Gosainhat police-station (Nalmuri station) are granted travelling allowance *via* Barisal, that is, for 52 miles in excess, due to there being

no connection of the Madaripur-Barisal service with the up Barisal-Dacca Mail at Nandi Bazar?

(*b*) Is the Hon'ble Member aware—

(*i*) that petitions for the redress of these grievances were made to Messrs. MacNeil and Company, Managing Agents of the River Steam Navigation Company, Limited, and to the Joint Agents, India General Navigation and Railway Company, Limited, and the River Steam Navigation Company, Limited, Barisal, on the 29th August, 1930, and to Messrs. Kilburn and Company, Managing Agents, India General Navigation and Railway Company, Limited, on the 12th January, 1931;

(*ii*) that different suggestions to redress these grievances, such as (*i*) re-introduction of the connection of the up Barisal Express with the up Barisal-Dacca Mail at Barisal, (*ii*) the extension of the up Barisal Express up to Chandpur, (*iii*) the extension of the Bohor-Bhederganj Feeder service to Nalmuri station, and (*iv*) the connection of the Goalundo-Narayanganj Express (Mail) steamers at Bohor with the Dacca-Barisal mail steamer affording the benefit of the double service to the passengers of the Assam-Bengal Railway, Chandpur, and those of Calcutta-Tarpassa-Madaripur, without entailing any extra expenditure to the company, were put forth to the companies without any effect; and

(*iii*) that the attention of the authorities was drawn through the press on the 29th September, 1930, 24th April, 1931, and 6th June, 1931, and also by the District Magistrate, Faridpur, by his letter No. 4346J., dated the 30th May, 1931, and by the Subdivisional Officer, Madaripur, by his letter No. 2035J., dated the 10th May, 1931, without any effect?

(*c*) Are the Government considering the desirability of taking immediate steps in the matter?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) (*i*) and (*ii*) Government have no information regarding either the length of time taken in the journeys mentioned by the member or the duration of waiting periods; but they have consulted the steamer companies, who state that, in the present position of existing train timings, it is impossible, with the exception mentioned below, to effect the improvements suggested in the question, without sacrificing the interests of the majority of passengers who utilize the various services. The exception referred to arises in respect of a connection at Nandi Bazar. The companies report that the departure of the Barisal-Dacca steamer from Barisal at 4·00 hours instead of 2·00

hours will give a connection at Nandi Bazar for Madaripur-Nalmuri passengers, and that they have decided to arrange this new connection from the 1st of August, next. The later arrival of the steamer at Dacca, however, may lead to complaints from Dacca passengers. It is reported that on the above timing there is no possibility of the Barisal-Dacca steamer calling at Bohor, nor do the companies consider that there is any other practicable method by which the existing steamer timings between Nalmuri, Calcutta and Faridpur can be accelerated.

(*iii*) The connection cannot be arranged as the railway timings at Khulna do not permit of the up Khulna steamer arriving at Barisal in time.

(*iv*) The up Dacca steamer cannot be delayed after 4 a.m., as the later arrival of the steamer at Dacca would be inconvenient to the majority of passengers.

(*v*) Government have no information.

(*b*) (*i*) and (*ii*) Yes. Various suggestions have been placed before the companies, but with the exception noted above, the companies report that these various methods are impossible owing to the timing of the present services.

(*iii*) Government have no information.

(*c*) No.

Inconveniences of passengers for Nalmuri steamer station.

94. Maulvi TAMIZUDDIN KHAN: (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state whether he is aware—

(*i*) that the Madaripur subdivisional headquarters is about eight hours' journey from the steamer station Nalmuri, but that the intending passengers for Nalmuri have to wait at Nandi Bazar, the connecting intermediate station, for about 23 hours, just missing the Barisal-Dacca mail steamer by an hour or so;

(*ii*) that the Faridpur district headquarters is about ten hours' journey from the steamer station Nalmuri, but that the intending passengers for Nalmuri have to wait at Chandpur for about 19 hours;

(*iii*) that the withdrawal of the connection of the up Barisal Express with the up Barisal-Dacca Mail at Barisal since September, 1930, has resulted in the detention of passengers from Calcutta to Nalmuri to the extent of 19 hours at Barisal, or, in the alternative, for 13 hours at Chandpur;

(*iv*) that not only the inhabitants of the thickly populated Idilpur pargana at Nalmuri but the passengers for the steamer stations Haturia, Badartuni, Sabipur, and Kalekhanhat also have to encounter the same difficulties and inconveniences; and

(*v*) that the police officers and the members of the Madaripur local board travelling from Madaripur to Gosainhat police-station (Nalmuri station) are granted travelling allowance *via* Barisal, that is, for 52 miles in excess, due to there being no connection of the Madaripur-Barisal service with the up Barisal-Dacca Mail at Nandi Bazar?

(*b*) Is the Hon'ble Member aware—

(*i*) that petitions for the redress of these grievances were made to Messrs. MacNeil and Company, Managing Agents, River Steam Navigation Company, Limited, and to the Joint Agents, India General Navigation and Railway Company, Limited, and the River Steam Navigation Company, Limited, Barisal, on the 29th August, 1930, and to Messrs. Kilburn and Company, Managing Agents, India General Navigation and Railway Company, Limited, on the 12th January, 1931;

(*ii*) that different suggestions to redress these grievances, such as (*i*) re-introduction of the connection of the up Barisal Express with the up Barisal-Dacca Mail at Barisal, (*ii*) the extension of the up Barisal Express up to Chandpur, (*iii*) the extension of the Bohor-Bhederganj Feeder service to Nalmuri station, and (*iv*) the connection of the Goalundo-Narayanganj Express (Mail) steamers at Bohor with the Dacca-Barisal mail steamer affording the benefit of the double service of the passengers of the Assam-Bengal Railway, Chandpur, and those of Calcutta-Tarpassa-Madaripur, without entailing any extra expenditure to the company, were put forth to the companies without any effect; and

(*iii*) that the attention of the authorities was drawn through the press on the 29th September, 1930, 24th April, 1931, and 6th June, 1931, and also by the District Magistrate, Faridpur, by his letter No. 4346J., dated the 30th May, 1931, and by the Subdivisional Officer, Madaripur, by his letter No. 2035J., dated the 10th May, 1931, without any effect?

(*c*) Are the Government considering the desirability of taking immediate steps in the matter?

The Hon'ble Mr. A. MARR: The member is referred to the answer given to an unstarred question on this subject, asked by Rai Debendra Nath Ballabh Bahadur at this meeting.

Inconveniences of steamer passengers for Nalmuri station.

95. **Babu SARAT CHANDRA MITTRA:** (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state whether he is aware—

(*i*) that the Madaripur subdivisional headquarters is about eight hours' journey from the steamer station Nalmuri, but that the intending passengers for Nalmuri have to wait at Nandi Bazar, the connecting intermediate station, for about 23 hours, just missing the Barisal-Dacca mail steamer by an hour or so;

(*ii*) that the Faridpur district headquarters is about ten hours' journey from the steamer station Nalmuri, but that the intending passengers for Nalmuri have to wait at Chandpur for about 19 hours;

(*iii*) that the withdrawal of the connection of the up Barisal Express with the up Barisal-Dacca Mail at Barisal since September, 1930, has resulted in the detention of passengers from Calcutta to Nalmuri to the extent of 19 hours at Barisal, or, in the alternative, for 13 hours at Chandpur;

(*iv*) that not only the inhabitants of the thickly populated Idilpur pargana at Nalmuri but the passengers for the steamer stations Haturia, Badartuni, Sabipur, and Kalekhanhat also have to encounter the same difficulties and inconveniences; and

(*v*) that the police officers and the members of the Madaripur local board travelling from Madaripur to Gosainhat police-station (Nalmuri station) are granted travelling allowance *via* Barisal, that is, for 52 miles in excess, due to there being no connection of the Madaripur-Barisal service with the up Barisal-Dacca Mail at Nandi Bazar?

(*b*) Is the Hon'ble Member aware—

(*i*) that petitions for the redress of these grievances were made to Messrs. MacNeil and Company, Managing Agents, River Steam Navigation Company, Limited, and to the Joint Agents, India General Navigation and Railway Company, Limited, and the River Steam Navigation Company, Limited, Barisal, on the 29th August, 1930, and to Messrs. Kilburn and Company, Managing Agents, India General Navigation and Railway Company, Limited, on the 12th January, 1931;

(*ii*) that different suggestions to redress these grievances, such as (*i*) re-introduction of the connection of the up Barisal Express

with the up Barisal-Dacca Mail at Barisal, (*ii*) the extension of the up Barisal Express up to Chandpur, (*iii*) the extension of the Bohor-Bhederganj Feeder service to Nalmuri station, and (*iv*) the connection of the Goalundo-Narayanganj Express (Mail) steamers at Bohor with the Dacca-Barisal mail steamer affording the benefit of the double service of the passengers of the Assam-Bengal Railway, Chandpur, and those of Calcutta-Tarpassa-Madaripur, without entailing any extra expenditure to the company, were put forth to the companies without any effect; and

(*iii*) that the attention of the authorities was drawn through the press on the 29th September, 1930, 24th April, 1931, and 6th June, 1931, and also by the District Magistrate, Faridpur, by his letter No. 4346J., dated the 30th May, 1931, and by the Subdivisional Officer, Madaripur, by his letter No. 2035J., dated the 10th May, 1931, without any effect?

(*c*) Are the Government considering the desirability of taking immediate steps in the matter?

The Hon'ble Mr. A. MARR: The member is referred to the answer given to an unstarred question on this subject, asked by Rai Debendra Nath Ballabh Bahadur at this meeting.

Inconveniences of steamer passengers for Nalmuri.

96. Dr. NARESH CHANDRA SEN GUPTA: (*a*) Has the attention of the Government in the Department of Marine drawn to the grievances of people served by the India General Navigation and Railway and River Steam Navigation Companies on account of the defective system of connections and timings of steamers, and, in particular, to the grievances of the people of Idilpur pargana who board the steamer at the Nalmuri steamer station in the district of Faridpur, who have to wait—

(*i*) for 23 hours at Nandi Bazar in coming from Madaripur which is only eight hours' journey from Nalmuri;

(*ii*) for 19 hours at Chandpur in going to the district headquarters at Faridpur which is about 10 hours' journey by steamer; and

(*iii*) for 19 hours at Barisal, or, in the alternative, 13 hours at Chandpur in going to Calcutta?

(*b*) Is the Hon'ble Member aware that all representations for the redress of these grievances made by the people of the Idilpur pargana and neighbouring places served by the Nalmuri steamer station as well as by the Subdivisional Officer of Madaripur and the District Magistrate of Faridpur have had no effect?

(c) If the attention of the Government has been drawn to the above grievance, will the Hon'ble Member be pleased to state—

(i) what action the Government propose to take in the matter; and

(ii) whether it is in their contemplation to proceed under section 54 of the Inland Steam Vessels Act, 1917, as amended by Act XIII of 1930?

The Hon'ble Mr. A. MARR: (a), (b) and (c) (i) The member is referred to the answer to an unstarred question on this subject, asked by Rai Debendra Nath Ballabh Bahadur at this meeting.

(c) (ii) The member is referred to the answer given to starred question No. 3 at the present session of this Council.

Issue of instruction to Moslem boys to attend schools with caps on.

97. Babu HOSENI ROUT: (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether a Moslem Assistant Inspector of Schools advised the head master and the head maulvi of the Meherpur High English School in the district of Nadia to instruct the Moslem boys of the school to attend school with caps on?

(b) Is it a fact that the Commissioner of the Presidency Division protested against this advice of the Assistant Inspector?

(c) If so, on what ground was the protest made and what action have the Government taken on this protest?

(d) Is the Hon'ble Minister aware that Moslems hesitate to send their boys to English schools for want of sufficient arrangement for Islamic culture and lack of Islamic environments?

(e) If the answer to clause (d) is in the affirmative, is the Hon'ble Minister considering the desirability of issuing instructions to the head masters of all Government and aided schools to advise Moslem boys to attend schools with caps or other Islamic head-gear and dress?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (a) Yes, in 1924.

(b) and (c) Government are not prepared to disclose the opinions expressed by individual officers.

(d) Government are aware that there is a considerable volume of opinion among Moslems not favourable to purely secular education.

(e) In 1926 Government decided that the action taken by the Moslem Assistant Inspector of Schools was in consonance with the general policy of Government. The Bengal Education Code, 1931, issued by the Director of Public Instruction, page 212, rule 16, affirms the previous policy.

Government do not propose issuing any further instructions.

Retrenchment.

86. Rai Bahadur Dr. HARIDHAN DUTT: (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state whether the Government intends to form any Retrenchment Committee as has been done in some other provinces?

(*b*) If so, when and how do they propose to constitute such a committee?

(*c*) If the answer to (*a*) is in the negative, what other steps are going to be taken for reduction of the cost of administration?

(*d*) Has the Government accepted the principle of reduction by ten per cent. or any other principle in the cost of administration of this province?

(*e*) Has the Government decided upon the items of expenditure to he subjected to reduction or revision?

(*f*) If so, what are they?

(*g*) Will the Hon'ble Member be pleased to state whether the Government is considering the desirability of adopting a scheme with a graduated scale of reduction of pay and allowances of Government servants drawing above Rs. 150 per month?

The Hon'ble Mr. A. MARR: (*a*) No.

(*b*) Does not arise.

(*c*) Government have already largely retrenched in certain directions and are examining others.

(*d*) No.

(*e*) and (*f*) Minor works, contingencies, travelling allowance and pay of future recruits to services.

(*g*) The general question is at present under examination.

Rai Bahadur Dr. HARIDHAN DUTT: In connection with answer (*a*) may I inquire from the Hon'ble Member whether the financial condition of Bengal is so much better than that of other provinces that no retrenchment is necessary?

The Hon'ble Mr. A. MARR: I have already explained to the questioner and to many members of this House that the Bengal Government have already done far more than the Government of India or any other provincial Governments in India for retrenchment.

Rai Bahadur Dr. HARIDHAN DUTT: My question was whether the financial condition of Bengal was better than that of other provinces so that no necessity for any retrenchment arises here; that question has not been answered.

The Hon'ble Mr. A. MARR: My answer more or less answered this question.

Rai Bahadur Dr. HARIDHAN DUTT: In answer to question (*c*) Government say that they have already largely retrenched in certain directions and are examining others, etc. May I inquire why should not Government take in a number of non-officials in this matter in arriving at a proper decision?

The Hon'ble Mr. A. MARR: I propose to issue at once a statement to all members of this House showing the action which has already been taken during the last 10 years and foreshadowing to some extent the action which will be taken in the immediate future. If there is any criticism to be made on that statement members will have an opportunity to do so at the next meeting of the Council.

Mr. J. N. GUPTA: In connection with answer (*c*) may I ask if it is not a fact that most of the important recommendations of the Retrenchment Committee of 1921 have not been given effect to? For instance, reduction in the number of four Members of the Executive Council, the abolition of posts of Divisional Commissioners, and the grouping of the Department of Agriculture, Co-operative and Industries under a Development Officer; these recommendations have not been given effect to?

The Hon'ble Mr. A. MARR: I cannot surely be expected to answer all these details.

Mr. PRESIDENT: A supplementary question should be brief and it is not possible for a Member of Government to answer off hand a question involving so many details. But, I might suggest that if you want some of your important points to be dealt with, the best thing for you would be to split up your question and put each part separately, one by one, as an independent question.

Mr. J. N. GUPTA: May I ask whether it is not a fact that many important recommendations of the Retrenchment Committee have not been given effect to as yet?

The Hon'ble Mr. A. MARR: I would say at once, Sir, that the most important recommendations of the Retrenchment Committee of 1922 were given effect to. Before the Retrenchment Committee sat Government had taken steps themselves and retrenched their expenditure by a very large sum; this anticipated to a certain extent the recommendations of the Retrenchment Committee. Other recommendations of that Committee Government after consideration were not prepared to

accept; certain others were accepted and retrenchment was made accordingly. Government's conclusions on the recommendations of this Committee were published in a pamphlet which was issued to members of this House.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether Government is aware of a strong feeling in the country and in this House that a Retrenchment Committee should be appointed in Bengal on the lines of committees appointed by other provinces and the Government of India?

The Hon'ble Mr. A. MARR: Yes, but I am afraid members have quite forgotten the retrenchments effected in Bengal during the last 10 years.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state why he is unwilling to respond to the feeling in this country and this House?

The Hon'ble Mr. A. MARR: I am not at all sure that there is such a view in this House.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether he will admit that there is such a feeling in the country?

The Hon'ble Mr. A. MARR: It is possible but I do not know.

Rai Bahadur Dr. HARIDHAN DUTT: May I inquire when was the last retrenchment effected?

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state why, having regard to the fact that the Government of India and other Governments have officials and non-officials on their Retrenchment Committees, non-officials in Bengal will be limited to passing *post-facto* criticism only?

The Hon'ble Mr. A. MARR: Sir, I have already explained and I would again repeat now that Mr. N. K. Basu has forgotten that the Government of Bengal did years ago what other Governments are doing now and I may say that the Retrenchment Committee of 1922 was wholly non-official in its personnel except as regards its Secretary who was also a member of that Committee.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state if, so far as the recommendations of 1922 Retrenchment Committee are concerned, they were placed before the Public Accounts Committee?

The Hon'ble Mr. A. MARR: Proposals for retrenchment are ordinarily not placed before the Public Accounts Committee. The Council has certainly full power to inquire into what we have done and propose to do in the future in the matter of retrenchment.

Mr. J. N. GUPTA: Will the Hon'ble Member be pleased to inform the House in view of his answer to a supplementary question that Government have given effect to most of the recommendations of the Retrenchment Committee, what are the very important recommendations of that Committee that have been given effect to? Among the most important recommendations of that Committee I would place the abolition of Commissioners of Divisions and heads of departments and will he kindly say if it is not a fact that this recommendation was not given effect to?

The Hon'ble Mr. A. MARR: I would refer the hon'ble member to the pamphlet that was published sometime ago by Government.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state if the question of reduction of salary of the staff is a part of the general question now under the consideration of Government?

The Hon'ble Mr. A. MARR: Yes.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state if effect will be given to the other items of recommendation of the Retrenchment Committee of 1922?

The Hon'ble Mr. A. MARR: Yes, if considered necessary.

Mr. NARENDRA KUMAR BASU: Is it not a fact that since the Retrenchment Committee of 1922 expenditure in several departments of Government has gone up very largely instead of being reduced?

The Hon'ble Mr. A. MARR: Yes.

Maulvi SYED MAJID BAKSH: As regards answer (*c*) will the Hon'ble Member be pleased to state what are the direction in which retrenchment has largely been made?

The Hon'ble Mr. A. MARR: I would advise the hon'ble member to await the statement which I propose to send to every member of this House, from which he will be able to gather details.

Retrenchment.

98. Rai Bahadur SATISH CHANDRA MUKHERJI: (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state whether the Government contemplates any retrenchment proposals so far as Bengal is concerned?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state in what direction this is being contemplated?

(*c*) Is the Hon'ble Member aware—

(*i*) that there is dearth of work in all departments; and

(*ii*) that consequently there is an excess of officers in every district?

(*d*) If the answer to clause (*c*) is in the negative, will the Hon'ble Member be pleased to state whether he contemplates making an inquiry into the matter?

(*e*) If the answer to clause (*c*) is in the affirmative, what steps does the Government propose to take in the matter?

The Hon'ble Mr. A. MARR: (*a*) and (*b*) Government are examining the possibilities of retrenchment in various directions and reductions in expenditure have already been ordered under minor works, contingencies, travelling allowance and pay of future recruits to services.

(*c*) No.

(*d*) No.

(*e*) Does not arise.

DEMANDS FOR GRANTS.

26.—Police.

The Hon'ble Mr. W. D. R. PRENTICE: On the recommendation of His Excellency the Governor in Council I beg to move that a sum of Rs. 5,15,000 be granted under the head "26.—Police" for the current financial year to meet the extra cost of bringing the police forces up to present minimum requirements.

I bring forward this demand with some regret—regret that conditions in Bengal are such as to necessitate the further strengthening of the police, more especially as no one is better aware of the poor financial position of Bengal than the Government of Bengal themselves, a position which makes it essential to economise rather than desirable to embark on increased expenditure. But while economy is a prime necessity for any Government, the paramount necessity consists in maintaining peace and tranquillity so that Government may properly function. And it is because Government are convinced of the absolute necessity for the extra police force covered by this demand that in spite of this financial position they have authorised me to place this demand before the Council. I may say that this demand does not represent all that the responsible authorities of the police themselves ask for, or what I myself from a purely police point of view would have asked for. But it represents what Government consider to be the minimum requirements of the province, taking into consideration all the circumstances, financial and political; and it is on this basis that I ask the Council to sanction this demand, as the absolute minimum which Government consider necessary in order to preserve the peace and tranquillity of the province.

The details of the demand are given in the printed memorandum which has been circulated to all the members of this Council. I do not propose to read it or go through it in detail. I will only summarise what the demand covers. So far as the Bengal police is concerned it asks for the money required to retain up to the end of the year certain temporary police forces, which this Council has already sanctioned during the last budget debate for a portion of the year. Government only asked for these forces for a certain portion of the year in the hope that the situation would have improved by then and it would be possible, when we considered the situation to have sufficiently improved, to reduce the number of police officers and men supplied for the various branches of the administration. Unfortunately our expectations have been disappointed and we have to ask for the continuation up to the end of the year 1931-32 of the protective staff and the Intelligence Branch staff which this Council sanctioned for a part of the year. In addition we ask for certain new expenditure. The first item of that is the money required to keep a contingent of the Assam Rifles in Chittagong till conditions there improve. Members will recollect what happened in Chittagong at the beginning of the last year. They know that there has been a very long period of strain and how the trial of those who have been arrested in connection with the outrage of April, 1930, is still dragging on. They will also have seen from newspapers that some time ago conditions in Chittagong became such that we had to ask for the assistance of the military, and two companies of troops were despatched from Shillong to Chittagong to restore the position

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there. These troops did excellent work down there and they helped in restoring the position; but the work that remains to be done is not such as one would ordinarily employ troops on. The military authorities naturally asked that the troops might be relieved and replaced by police as the duties remaining were mainly police duties. Government agreed that the situation was such that it was reasonable to grant the request. But they felt that the situation had not yet returned to normal and that it was necessary to retain in Chittagong an increased force of military police in order to assist the civil authorities in maintaining law and order in that area. We had not the men ourselves and the Assam Government again came to our assistance generously and lent these 200 men of the Assam Rifles. We started with 200 but we have reduced the number already to 150 or have issued orders to that effect. As conditions improve we hope gradually to be able to reduce that force still further, until we can return to the Assam Government all the men we borrowed and carry on with our own men. In addition to this force there is a new expenditure for which we are asking the sanction of Council; and that is the expenditure involved in providing for each range in this province a reserve of 150 armed police. That is partly for retaining an old force, because in the budget of this year the Council sanctioned the money required for 500 additional armed police up to the middle of June. This range reserve will include these 500 men. Their number will be raised to 945 men, in order to provide a range reserve of 150 armed police in each range, with the usual complement of reserves for casualties and leave. As to the considerations which have led Government to ask for this increased force, I will explain them later. For Calcutta the expenditure we ask for is new. We ask for sanction of an additional force of 31 sergeants and also an extra company of armed police.

The Council will naturally ask what the circumstances now existing in the province which make the addition of this force necessary. When the Council last met, the civil disobedience movement was called off in consequence of the Irwin-Gandhi agreement; since then we have been carrying on under the shadow of that agreement. Government have done their utmost to carry out the terms of that agreement and, I can say without fear of contradiction, have gone almost to excessive lengths in many directions. But at the same time we cannot be blind to the fact that the other side are continually impressing, by speeches and writings, on the population of Bengal that this agreement is a truce and not a peace. They are continually urging the people to organise and prepare for a fight which they describe as likely to be fiercer and more bitter than the one we had last year. We hope and trust that it will not become a fact. At the same time it would be

useless for Government to disregard such a warning and it would be wicked of them not to take precautions in case that warning becomes a fact. It is up to us as the Government to take all the steps that we are advised are necessary to meet that menace should it occur again.

That is one result of the civil disobedience movement. But there are more dangerous results inasmuch as the civil disobedience movement has excited a general contempt for law and order and created a spirit of defiance towards lawfully constituted authority. There has been also—I do not say as a consequence of it but certainly after it—an enormous increase in the amount of crime in this province and this is best exemplified by the number of dacoities. Experience has shown in the past that dacoities are a good index to crime in the province. What do the dacoity figures in Bengal show? They show that during 1929 throughout the whole province there were 826 dacoities. In 1930 the figure had risen to 1,544 and the figure up to 20th July, 1931, is 1,536. That is roughly during the first half of this year we have had as many dacoities as during the whole of 1930. The figures for 1930 were twice as much as in 1929. The figures for the first half of 1930 are 836. Therefore roughly speaking we have had twice as many dacoities during the first half of 1931 as we had during the first half of 1930. In regard to all other serious crimes there were similar increases. Even if they were lesser in degree. It is perfectly obvious that so far as crime is concerned the conditions in Bengal are extraordinarily bad. I am not saying that the political conditions are the only cause of this rise in dacoity. For the economic situation is also one of the reasons of this great rise in dacoities. But it is perfectly true that we have had an alarming outbreak of crime and in some cases we find *bhadralok* youths operating in company with common criminals. That is the situation as regards the increase of crime which the police have to cope with. On the other hand, what is the position as regards the police? I have asked various officials and non-officials—gentlemen who come from all parts of the mofussal—whether the influence of the police is as great now as it was before the civil disobedience movement began. They are one and all agreed that it is not. We require more police now to enforce law and order than we did before the unfortunate civil disobedience movement arose. I do not think that there can be any doubt that we require more police now to carry out the same amount of work as was required, say, a couple of years ago. That is as far as ordinary crime is concerned.

Then, we have the other aspect of the case—the terrorist revolutionary movement. That movement not only persists but I am afraid we must admit too, that it has spread. The general unsettlement caused by the civil disobedience movement has opened up a new recruiting ground for the apostles of terrorism and made the work of attacking this movement much more difficult. There again I do not

say that the civil disobedience movement or the political situation is alone responsible for this situation. I am perfectly certain myself that the economic situation has a great deal to do with it not only because of people being thrown out of employment, but the educated *bhadralok* when he leaves school or college finds it impossible to obtain employment. I am perfectly certain that steady employment is one of the most potent factors that may be of great help in getting rid of this real danger to country. At present, unfortunately, there is little chance of getting steady employment, and wages are being cut. There is a general reaction and strain. Having nothing else to do, these young men consent to take part in outrages which are a real menace and a disgrace to the State. That this movement exists, I do not think any member of this Council will deny. We meet under the shadow of one of the most dastardly outrages committed only about a week ago which has made it plain that the movement carries on a vendetta not only against executive officers but also against judicial officers who have tried to do their duty without fear or favour.

Well, Sir, these are the conditions underlying this demand, namely, an increase in crime, an increase in this widespread terrorist movement and a decline in the influence of the police. At the same time the police have more work to do. Additional duties too have been thrown on them mainly by the terrorist movement. To indicate the extra amount of work thrown on them I may say that the number of armed police employed on extra protective duty necessitated by the terrorist movement is 389, and no increase in the police force so far has been sanctioned to meet these requirements. For the 500 men sanctioned last year were not provided on these grounds, but on general grounds.

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There is another danger in the present situation. Under the system of police administration in force in Bengal there are no central reserves for the ordinary police. The Eastern Frontier Rifles are not to be used for ordinary police work. Under the present system the reserves are distributed throughout each district. Each district has a reserve which is an armed reserve, which is supposed to supply not only the men for escort and guards, but also an emergency force for any disorder which may arise, and that may require special attention. Normally, up to the present, until the civil disobedience movement began, disorder was confined to one or two districts, the rest of the province being quiet. It was easy to collect for these particular districts the force required by calling on the reserve emergency force of the peaceful districts. That situation has now passed, and we have trouble all over the province. When serious trouble arises in one district and it is necessary to augment the force there to deal with it, the Inspector-General of Police is met with the answer that no man can be spared

from other districts. The situation is made more difficult because under the old system when you took away the emergency force, you mobilised men from the thanas, and in order to fill up vacancies at headquarters you left the thanas short of their regular complement. Crime having increased so much during the last few months, and the influence of the police having declined so much that more men are now required for the same duty, it is almost impossible to fill up by mobilisation the vacancies that occur. The Inspector-General of Police, therefore, is placed in the very difficult and dangerous position of being unable to collect forces to deal with an outbreak in any particular locality without going against the wishes of the responsible officers in other districts and taking away men who according to them cannot be spared.

It is to relieve this situation that Government have finally agreed to provide the Inspector-General of Police with an armed reserve in each range. This is not a new demand; the demand first came up some years ago and had to be turned down for various reasons, economic and otherwise, again and again. Now we feel we dare not, in the present condition of the province, ignore the demand of the Inspector-General which is unanimously supported by Commissioners and District Officers and all responsible officers who have been consulted. One and all stress the fact that the force formerly sufficient in Bengal for its police requirements, is now entirely inadequate. In these circumstances Government are satisfied that they would not be discharging their responsibility for preserving peace and tranquillity in the province if, for reasons of economy, they refused to provide the Inspector-General with the force which in the view of all their advisers is absolutely necessary.

These are the reasons which have led us to put forward this demand for a range reserve. These reserves are at the rate of 150 men for each range, and will be at the disposal of the Deputy Inspector-General for use within the range, so that whenever there is a serious outbreak of crime and men are required, anywhere in the range, men can be moved to that district and the Superintendent of the district will be able to tackle the outbreak and protect the inhabitants of that area. But of course there may be cases where more than 150 men will be required, in which case the whole force is at the disposal of the Inspector-General of Police to move where he thinks it is required. If he thinks that in any range the reserves may be reduced, it will be within his power to reduce the reserve there and increase it elsewhere. So much for Bengal.

Mr. P. N. GUHA: How many ranges are there?

The Hon'ble Mr. W. D. R. PRENTICE: Five. Presidency, Burdwan, Jalpaiguri, Bakarganj and Dacca.

In Calcutta, as I have said, the expenditure asked for is a new one. We ask sanction for 31 sergeants and one company of armed police. The reason for this is the terrorism that exists. Under the protective system in force, to protect places of public resort, and to protect both the public and individuals from the outrages with which they are threatened at present, 45 sergeants have been taken out of the ordinary cadre of the Calcutta Police and put on special duty. For example, in Writers' Buildings, where, as a result of the recent outrage, free access has been stopped and arrangements have been made so that no unauthorised person is permitted to enter the building, the arrangements require the presence of sergeants to carry them out, and these sergeants have been supplied from the ordinary force in Calcutta———

(The Hon'ble Member here reached his time-limit, but was permitted to continue for a few minutes longer.)

These have been found by taking men away from their ordinary duties and naturally this reduces the efficiency of the ordinary police in Calcutta. The Calcutta police force is, therefore, considerably short of its full quota of sergeants. Government considered the whole question and have decided that they cannot allow this state of things to continue. But in view of the economic situation, and of the economic difficulties of the province, they have decided to ask Council to sanction only the money required to provide for 31 sergeants out of 45, leaving the Commissioner of Police to find the other 14 from his ordinary reserve.

Turning now to the armed police, for the same reason we have to employ on protective duty 49 head constables and constables from the existing force of armed police, which is practically half a company. There is also in Calcutta a security scheme in force which has been the means of keeping Calcutta free from serious trouble for some time past. That scheme requires a certain number of men and the force provided for Calcutta is not sufficient for this. Government have run the risk up to the present, but they consider that they should not run that risk any longer. As an extra half company of armed police is necessary to replace the men on special protective duty Government propose to provide a full company so as to give the men that the Commissioner of Police requires in the interests of the public for his security scheme.

These, Sir, are the details of the demand I am putting forward, and I would ask the Council to believe that this demand has not been put forward by the Government without the most careful consideration. They have only put it forward in the present financial situation, because they consider that what they ask for is absolutely necessary to preserve the peace and tranquillity of the province. I may say that this demand has been considered by both sides of the Government, and all

are agreed that it is an absolute necessity. I would ask you seriously to consider all these facts and to grant this demand.

4 p.m.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 5,15,000 under the head "26.—Police" be reduced by Rs. 5,14,999.

I confess that I rise to move this amendment with a full sense of responsibility. In spite of what Mr. Prentice has stated in this House, I must say that I am not convinced that this huge sum of Rs. 5,15,000, if the present economic condition of the country is considered, is really needed. I am aware that in moving this amendment I have laid myself open to misrepresentation, and in fact calumny has already begun. I found in one of the papers yesterday—that its notorious hack its Indian contributor has imputed a motive to people like myself and others who have tabled amendments to this demand. Readers of Dickens will remember Eatanswill and its Messrs. Pott and Slurk. Here in India we have of course no Eatanswill but only Eatanswell and a combined Pott-Slurk, this contributor who seems to think that there can be absolutely no reason for anybody to propose any amendment in the public good but that every one must have some motive—the same motive that drives one to snail at the hand that feeds it, or to start a boycott movement against an organisation and afterwards to take service under it. I submit that this anonymous writer has already started a campaign of calumny, and I therefore say that I know I am open to misrepresentation and misconstruction in moving this amendment, but before I sit down I hope to be able to convince the House and also the Government that this demand is not fair.

It is not necessary for me to say what has been admitted more than once by Mr. Prentice that the police grant in this particular budget for 1931-32 is a huge grant. If I remember rightly, the words that he used in introducing the budget demand for police last March were "it is a very large sum to ask for in the present state of the provincial finance!" How very large it is will be evident to the House if it considers one or two figures. In 1912-13, that is to say, the year in which this province was formed as it is now, the demand for the police was Rs. 85,55,000 and in 1913-14 the entire police budget was Rs. 95,82,000. The budget that this Council passed in March last was for Rs. 2,19,59,000. I say that it is a high figure in all conscience. Now, we have an additional demand for another Rs. 5,15,000 making the aggregate Rs. 2,24,74,000 or putting it in the other way it is more than 20 per cent. of the total revenue of the province. I would like to know whether the House considers on the materials placed before it that this large grant is necessary.

Before going into the details of the demand I shall show that this huge sum or anything like it is not required at present. Before I go into the details of the scheme put forward to this Council, let us consider this point at least that the sum of Rs. 5,15,000 that is asked for is slightly over 2 per cent. of the budget already sanctioned. Other provinces, other Governments, other departments of public and private business have reduced their expenditure by very much more than 2 per cent. Is it not possible if this Rs. 5,15,000 is really necessary to find it by retrenchment from the huge grant that has already been made. I know that whenever the question of reduction of salaries or retrenchment in one department is brought forward to this House it is suggested that you cannot make any retrenchment in one department or in any particular service without touching the others. We are told that you cannot cut the salaries of the high officials without the sanction of the Secretary of State or of the Government of India. I submit all these are blatant excuses put forward by the Hon'ble Members of Government with their tongues in their cheeks. They know very well that they could, if they so wished, make these reductions service by service. They know very well that they could do it and that they would not be able to hoodwink any of the non-officials who may be associated with them. Therefore they fight shy of a retrenchment committee in Bengal. It was said by Mr. Prentice in March last—I have got his words here—that he was convinced that if non-officials were allowed to see the figures for the police and if they were associated with him for the purpose of scrutinizing the budget far from recommending any decrease in the police budget they would recommend an increase. If he was so confident why then did he not get some non-officials to scrutinize the police budget and see whether retrenchment is possible or not. As I have said it does not stand to reason that a retrenchment of 2 per cent. out of two crores and more cannot be made by any department. It will be seen from what has been said by Mr. Prentice that they have secured by recourse to retrenchment a sum of Rs. 1 lakh out of Rs. 2,19,00,000. I submit and the House will bear me out (and will not be hoodwinked by the present demand) that the retrenchment possible in that department is very much more. A few minutes ago the Hon'ble the Finance Member was pleased to tell us that the work of retrenchment done in Bengal has been more than what has been attempted in other provinces. Let us see what basis there is for that claim. The Bengal Retrenchment Committee sat in 1922; the police budget for 1923-24, if I am not mistaken, was Rs. 1,75,00,000 and to-day, nine years after the Retrenchment Committee, it is Rs. 2,24,00,000, that is the sort of retrenchment that has been made by the Government of Bengal in advance of all Governments in India, provincial or central!

Then again, let us see if it is really necessary to make this demand. It is all very well to say that because of terrorism you must increase

expenditure in the Intelligence Branch. Intelligence Branch forsooth! What sort of intelligence this branch possesses I am not certain of. But we know this that the Intelligence Branch have not up to now been able to prevent any of the crimes the commission of which has so startled humanity and shocked the people of this province. What can you expect from the sort of men that you recruit for the Intelligence Branch. I will give the House one instance of the method of recruitment to that Branch. There was a certain Sub-Inspector of Police called Mafizuddin who was in the Tangail subdivision for some time. This man went out on an inquiry; he coerced some poor villager to pay him Rs. 800 as a bribe. This villager went to the civil court and filed a suit. The munsif gave a decree against Mafizuddin for Rs. 800 and found that this sum was taken from the plaintiff by coercion. There was an appeal to the District Judge who upheld the decree and then there was a second appeal to the High Court which was also dismissed. Promptly thereafter Mr. Mafizuddin who was uptill then an ordinary Sub-Inspector of Police was made an Inspector in the Intelligence Branch. That is how his services were recognised and how men are recruited to the Intelligence Branch. It is ridiculous to suppose that men of this sort employed on intelligence work would be able to prevent disorder or to see that peace and tranquillity reign over the land. I submit that it is no use asking for more men or more money unless you can show that the existing men and the existing money have been well employed.

Coming now to details, as you know, Sir, there are five police ranges in this province—Presidency, Burdwan, Rajshahi, Dacca and Bakarganj. In these five ranges it is proposed to have 750 men as reserve and to have a casualty reserve of 26 per cent., that is 175 men—altogether 945 men. According to the figures supplied to us these 945 men for six months or so are to cost us Rs. 3,56,891. I have been trying my level best to wade through the figures in the budget of March last to find out what 900 men for six months would cost according to that budget. I must say I have failed to find that out. But if Rs. 3,56,000 be required for 945 men for six months, I leave the House to work out the monthly salary of a constable. This is one of the biggest figures in the present demand.

Then again, there is an increased provision for intelligence work for six months of Rs. 80,537. In the budget adopted in March last we had it that this increased staff of the Intelligence Branch for the first six months would cost Rs. 72,000.

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Now it is suggested that for the next six months the cost will be Rs. 80,537. One is left wondering how or why this figure of Rs. 80,537 has been arrived at! Figures like these not in round numbers but

apparently calculated to the nearest anna, on the face of them may carry conviction to those who desire to be convinced, but speaking for myself I submit that these figures cannot be relied on, and it is not known how these figures have been arrived at. Sir, Mr. Prentice in his speech told the House that this figure of Rs. 5,15,000 does not represent all what he, as head of the police, would have asked for. Well, like another famous man, who served in India, he might have said: "I stand aghast at my own moderation," but so far as we the non-official Indian members of this House are concerned, we are aghast not at the moderation of his demand but at the hugeness of his demand. He is, like another Dickens character, always asking for more. Sir, I am sure there are people in this House who would like to satisfy all demands of Mr. Prentice, but I submit that no valid reason has been brought forward why this huge sum should be granted, especially at this time of the year, and the House should not be stampeded into making the grant. I, therefore, commend my amendment to the House.

Mr. PRESIDENT: Rai Mahasai, will you please move your two amendments together and make one speech? That will save a lot of time.

MUNINDRA DEB RAI MAHASAI: Sir, I beg to move—

(*i*) that the demand of Rs. 5,15,000 under the head "26.—Police" be reduced by Rs. 5,14,998 (on the ground of economy); and

(*ii*) that the demand of Rs. 5,15,000 under the head "26.—Police" be reduced by Rs. 105 (to criticize the policy involved in this grant).

Sir, the object of my motions is a very simple one. The country is passing through dire economic distress. Death due to starvation is of daily occurrence. Although famine has not been declared under the Famine Code, there is hardly any difference between famine and the actualities of the present situation. The distress has become universal—unprecedented in Bengal within living memory. It has seriously affected not only the poor cultivators but also people of all grades in society. The cultivators, the zamindars, the money-lenders, the business men, and the professional men are all having their fair share in the prevailing economic distress. It is not a famine of food, but a famine of money which has reduced the purchasing capacity of all: the consequent depression in trade is inevitable. It has told seriously not only on the finances of the province but also on the finances of the Port Trust and the Railways, who all have undertaken drastic retrenchments which have added to the miseries of a considerable section of their employees. The working days in the mills have been

reduced by almost half, and some of them closed their doors, which have helped further to increase distress among the working population. The cry of retrenchment is being heard everywhere, save and except in the Police Department, where the expenditure is going up higher and higher. It is not satisfied with the absorption of one-fifth of the revenues of Bengal. During the last cold weather, the Hon'ble the Finance Member presented a deficit budget, but the demand under the head "Police" was kept intact. Sir, in spite of the prevailing distress splendid buildings for the accommodation of policemen have been constructed in recent years in Calcutta and in many mufassal towns, which could have been held over for better days. This shows the callous indifference of Government to the miseries of the people. The nation-building departments have to wait till eternity for funds, but demands for the comforts of the police cannot wait.

The worthlessness of the police in the prevention and detection of crime have been proved to the hilt in some of the recent occurrences. Mr. Lowman, the Inspector-General of Police, was murdered in broad daylight. The police failed to give him protection or to trace the culprit. Innocent students of the Mitford Hospital in Dacca had to suffer the brunt of the blow at the hands of the police. The brutal assaults on unarmed students justified police efficiency in acts of brutality. Mr. Simpson, Inspector-General of Prisons, was shot down dead in his office-room in broad daylight under the very nose of the police. This was another instance of police efficiency in their inability to afford him protection from this dastardly crime. The case of Mr. Peddie was also similar. The much-vaunted police could not afford protection to this District Officer, and has up till now failed to detect the murderer. Mr. Garlick, one of the greatest judicial officers of Bengal, was murdered in open court, and although a police was on special duty to guard him, he failed to save his valuable life.

If the police could not save the lives of administrative heads in spite of so many C. I. Ds., it is idle to expect any help from the police to save the lives of persons like Bholanath Sen of Messrs. Sen Brothers, who was murdered in his bookshop by two fanatics in broad daylight in such a busy public thoroughfare like College Street. I should like to ask the Hon'ble Member to remember that quality and not quantity which counts. Instead of increasing the quantity, it would have been better for him to try to improve the quality of his men. The cold-blooded murders of highly-placed Government officials in public places in broad daylight and the incapacity of the C. I. D. to give timely information and of the police to afford protection are matters serious enough to require careful consideration. We are accustomed to hear high encomiums showered in season and out of season on the police—and these are brilliant instances well worth to be written in letters of gold.

Sir, Rs. 80,537 has been provided for increased staff for intelligence work. It would have been better if attempts were made to increase the intelligence of the staff rather than increase the staff for intelligence work.

Opportunity has been taken to provide for 31 white men by the appointment of 31 sergeants for the Calcutta police at a cost of Rs. 67,000. Are they being patronized in recognition of their valuable services, I mean the brutal assaults on the students of the Calcutta University and their brutalities in the streets of Calcutta?

So far as the mufassal police is concerned, I have seldom heard of their efficiency in the detection of crimes like theft and dacoity. If there is a theft case in a house, woe be to the man who goes to give information to the police. He has got to pay not only the travelling expenses of the investigating officer but also to satisfy him with sumptuous dinners and presents of big fishes and cash. But there is no guarantee of the thief or thieves being caught or of the return of the stolen property. These are matters of daily occurrence. In case of dacoities, the police generally try to remain at a safe distance, while dacoities are being committed, and appear on the scene of occurrence when the dacoits have left with their booty after committing havoc in the house. Here, again, attention should be given to improve the quality and not the quantity, which would be nothing but mere waste of public funds.

The popular belief is that the dacoits act in league with the police, who get a substantial share of the booty. The police power of the State is one of the most important functions of the executive branch of Government. The efficiency of the police depends not only upon its training, but also upon its integrity. One of the most difficult of police problems is the safeguarding of the integrity of the police. This is because there are many individuals whose interest it is to corrupt the police. Among these are the criminal classes, especially the dacoits, who wish freedom to carry on their criminal activities. In fact, the police department is, perhaps, the most vulnerable point in the honesty of a Government. The first and foremost preventive of people corruptions is the promotion of honesty in the department by all possible means.

I hope I shall not be misunderstood. I wish to emphasize the fact that preference should be given to the improvement in the quality and not the quantity of the police staff, as proposed by the Hon'ble Member.

With these few words, I commend my motions to the acceptance of the House.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I beg to move that the demand of Rs. 5,15,000 under the head "26.—Police" be reduced

by Rs. 5,00,000 (with a view to press the desirability of exercising effected economy and intelligent administration of the department).

Sir, we are living in difficult time. As my friend Mr. Narendra Kumar Basu has already said, our attitude and remarks here in connection with the present demand are likely to be misunderstood. He has referred to a contemptible writer in one of the local leading newspapers of this city. I am not personally inclined to take a serious view of any thing that that writer writes, as he is generally known to make his living by sponging on Ministers and would-be Ministers, and so on.

Then, Sir, I should like to suggest that we do not come here to express our own views, and if we give expression to views that may not be liked by others, I may assure them that we do it from a sense of duty. Just as it is the duty of members on the Treasury Benches to tender advice to His Excellency at cabinet meetings, so it is our proud privilege to tender advice to Government from the floor of this House. Sir, if we fail in this duty, I for one think that we shall be failing miserably in the discharge of our duty. With these remarks, Sir, I beg to proceed with my amendment. We all agree with the Hon'ble Member that the situation in the country is very bad, and when members of Government come forward with a proposal for sanctioning a grant for the maintenance of law and order, I think our first impulse is to lend our wholehearted support to such a demand. It is we who live in the mufassal, we who live in the interior, are more concerned with the maintenance of law and order than temporary incumbents of high official posts. But with all our sympathy for the maintenance of law and order if we move for a reduction in the police demand, it is because we feel that all that could have been done in the matter of retrenchment of expenses in this particular department has not been done.

4-30 p.m.

The Hon'ble Mr. Marr has promised us to-day that he will issue a statement showing the particulars of the retrenchment effected in the different departments. So far as the Police Department is concerned I am afraid that it will have little retrenchment to show. From the memorandum issued and along with the statement which might come after it is likely that there will be a saving of a lakh or so in the sanctioned budget grant of nearly two crores of rupees. And here is a further demand of more than Rs. 5 lakhs; so at the end instead of there being a decrease there will be an increase. It is not for me to suggest on what lines retrenchment should be carried out. I have little knowledge of the intricacies of the working of a department but a person of long experience of Government departments, a person whose views are entitled to consideration of Government, I refer to my friend Mr. J. N. Gupta, who, during the budget discussions, placed before the House and Government concrete suggestions stating where there

was room for retrenchment. Sir, I have been waiting vainly from the speech of the Hon'ble Member-in-charge to hear that he has taken any notice of these suggestions. I too made certain suggestions on that occasion and I also find that no notice has been taken of them.

Mr. PRESIDENT: I may intervene at this stage and tell Mr. Ray that that is not the matter before the House. He should confine himself to his motion.

Mr. SHANTI SHEKHARESWAR RAY: In sending this notice of reduction I said that I wanted to press the desirability of exercising effective economy and intelligent administration of the department.

Mr. PRESIDENT: But that is not before the House; you cannot range over the whole demand of the Police Department.

Mr. SHANTI SHEKHARESWAR RAY: My position is that I must bring it to the notice of this House that effective retrenchment has been wanting in the administration of this department.

Mr. PRESIDENT: Mr. Ray, I might further explain to you that a particular grant is now before the House. It is an excess estimate, or a supplementary demand as it is usually called. The main estimate is not before the House and you cannot go into the policy which is involved in it nor can you touch upon any detail of that estimate. You can criticise the policy as far as it is covered by the present demand.

Mr. SHANTI SHEKHARESWAR RAY: Am I not entitled to press for retrenchment in the total grant and say that this demand should me met within the grant already sanctioned?

Mr. PRESIDENT: You might make general remarks to that effect and that you have already done. You can certainly deal with matters which the Hon'ble Mr. Prentice has introduced into the debate, such as the civil disobedience movement, the revolutionary movement in Chittagong, the terrorist movement, protection of officials, dacoities in Bengal, etc.

Mr. SHANTI SHEKHARESWAR RAY: I am placed in a difficulty by your ruling, but I must make an honest effort to act up to it.

My next point is to press upon Government that there should be an intelligent administration of the department. That gives me, Sir, a broad and wide field to dilate upon. I submit that though the Hon'ble Mr. Prentice had made mention of the civil disobedience movement in the course of his speech I am afraid the House will not agree with him

that the evils through which Bengal is passing to-day are due to that movement. If I may be permitted to submit, I think, Sir, it is more the wrong policy followed by Government in dealing with the civil disobedience movement and their methods of tackling the economic situation in the country that are responsible for the present condition of things and if these things go on and if no sympathy is exhibited then we shall be in a vicious circle. We may provide to-day guards for a particular individual, we may sanction a highly paid C. I. D. man to watch one suspect, but if you do not change your policy, if you do not take an intelligent view of the situation you will find that as a result of this policy as time goes on greater evils will ensue.

[At 4-45 p.m., the Council was adjourned for prayer and it reassembled at 5 p.m.]

Mr. SHANTI SHEKHARESWAR RAY: Sir, I need not pursue this aspect of the question any further. It is not at all my intention to do so when the province is face to face with a serious situation and the situation will be aggravated much more if the economic position does not improve. I shall end my remarks by making this suggestion: is it not possible for Government to save a part of this large amount for policing the province, and ask the Government of India to help by allowing the military to take a share in the maintenance of law and order in the province?

Maulvi SYED JALALUDDIN HASHEMY: Sir, I beg to move that the demand of Rs. 5,15,000 under the head "26.—Police" be reduced by Rs. 4,00,000.

I beg also to move the demand of Rs. 5,15,000 under the head "26.—Police" be reduced by Rs. 100 (to raise a discussion about the overwhelming number of dacoities, thefts and burglaries in the province and the inability of the police to cope with the situation).

Sir, before I submit my arguments in favour of the motions, let me take for a moment an attitude of compromise, though tempermentally I am against any compromise. I may say at once that the demand is not only fair and legitimate, but the bare minimum and normal (hear, hear). Let me first analyse the work which the Hon'ble Member intends to do with Rs. 5,15,000. I have heard every word uttered by the Hon'ble Mr. W. D. R. Prentice and also I have read each and every word in the memorandum which has been circulated to all the members. Let me first take what the Hon'ble Member intends to do. He intends to do away with the terrorist movement in Bengal. Sir, it has been declared by Mr. R. N. Reid, Chief Secretary, that the policy of the terrorist movement is to assassinate Government officers and to subvert the Government by armed revolution. May I ask the Hon'ble Member whether he has gone through the details of the terrorist

movement or whether he has tried to analyse the origin, the cause and development of this movement in Bengal? In this House I can say that nobody before 30 years had ever heard of a single bomb in this province, or a single revolver shot, or a single case of smuggling of revolvers, or a single case of assassination of a Government officer. Now let me ask the Hon'ble Member what is the cause of all these things. I can say that all these pestilences and perils and things of this sort are being imported by degrees. He is going to eradicate the terrorist movement with only Rs. 5 lakhs of rupees. I could have understood if he had proposed for a grant of Rs. 5 crores, and I would have gladly agreed to grant it if he could guarantee to do away with the terrorist movement in Bengal. Sir, now let me take the case of Chittagong, because Chittagong is mentioned in the memorandum. What did we see at Chittagong? There, under the very nose of the Commissioner of that division, Khan Bahadur Maulvi Muhammad Abdul Momin, now a popular representative of this House, a case of armed raid unprecedented and unheard of and quite a historic thing occurred. With Rs. 5 lakhs to provide for 31 sergeants, 49 head constables, 550 armed police, and by borrowing some auxiliary rifles from Assam or China he is going to do away with all these things. The estimate of Rs. 5 lakhs to me is certainly an absurdity and a childish thing. Certainly, Sir, Rs. 5 lakhs is quite insufficient to give any measure of protection of security. May I ask the Hon'ble Member whether Mr. Garlick was not given protection? Certainly he was given protection. I know, Sir, that there is a certain section of young men in this province who are prepared to make the utmost sacrifice. When the question of maximum sacrifice comes in there can be no question of protection. If he had gone to the origin and cause of this movement, and if he had satisfied the demands of these people, I would have thought that he would have succeeded. I say boldly that one of the causes of this terrorist movement in Bengal is that lawless law—the sinister Criminal Law Amendment Act of 1930. Then, again I know he is going to restore the respect which the police have lost on account of the civil disobedience movement. It is impossible, Sir, that he is going to purchase that respect for the police with this sum of Rs. 5 lakhs.

Now, Sir, I turn to the figures of dacoities. In answer to a question put by me—Starred question No. 66—the Hon'ble Mr. W. D. R. Prentice stated that during the course of the last six months, beginning from January till the 30th June 1,449 dacoities were committed in the different districts of Bengal. This figure does not include the cases which were not reported by the police in order to maintain their prestige, and there might be other 500 cases of dacoities. So, out of these 2,000 dacoity cases in Bengal only 197 cases were taken up by the police and out of that number he will be surprised to know that only 7 cases ended in conviction. This fact no doubt shows the capacity

of the police, and with this Rs. 5 lakhs he is going to restore the respect of the police————.

The Hon'ble Mr. W. D. R. PRENTICE: May I ask, Sir, what is his authority for saying that 197 cases only were taken up by the police?

Maulvi SYED JALALUDDIN HASHEMY: Sir, it was stated in reply to a question I put.

Let us now see what he is going to do. He is going to give protection to officers by 49 constables and head constables. Do you think the provision of this number of people is quite sufficient to give protection to officials? Does the Hon'ble Member in charge of the Police Department think that the protective measures he proposes are quite sufficient? Does he think that the protective measures taken in this House to cope with the movement to be sufficient? If a man were to come here with the idea of making the maximum sacrifice certainly no forces can protect any body. If the people are prepared to make the maximum sacrifice then it is impossible to prevent them. If he had looked into the question in my light he would meet their demand. It will be admitted that unemployment is the root cause and he has admitted that very well in his speech. I know that people who are fully employed cannot think of such things. In this connection I submit the force of the Criminal Law Amendment Act is felt. Even now more than 500 young men are detained somewhere in the Buxa, Hijli and other jails in this province. Most of them are my friends and I know some of them personally very well. I can speak of Babu Surendra Nath Ghose and of many others. I know they are quite exhausted, they have nothing left in them owing to their incarceration, but still they are detained. I suggest, therefore, that this lawless law should be repealed and there be a compromise with these groups of men whose declared policy is to assassinate Government officers and to subvert the Government by armed revolution. It is up to Government to come to terms with these men, otherwise it will go on multiplying and will reach such proportions that it will be impossible to cope with it. The Hon'ble Member has said that the civil disobedience movement had something to do with the situation. The civil disobedience movement was no doubt a pestilence and a peril. May I ask the Hon'ble Member whether the civil disobedience movement was an accident or whether the people were preparing for it for the last 50 years and it was launched after a good deliberation in order to show their position to the Government and to the world. Still they came to an agreement with the Government. The originator and the father of this movement is Mahatma Gandhi, with whom the Government came to terms. Certainly, you have to diagnose the disease before undertaking surgical operation. Before ascertaining the real cause they have taken to

drastic measures. I must say here that the increase in the number of dacoities in Bengal—and I think the members of this House will agree with me—is entirely due to starvation, to famine, and to unemployment. In reply to the question I put, the Hon'ble Mr. W. D. R. Prentice stated that out of these 449 cases of dacoities there were only 8 cases of political nature. So, the expression political dacoity is a vague and indefinite term.

5-15 p.m.

Whether it is political dacoity or economic dacoity or social dacoity, these young men who belong to the *bhadralok* class of good family and of education, they are in want, they do not care, they have taken poison in order to save themselves and not to suffer; in these cases it is only called "political dacoity". I have said that out of 449 dacoity cases there were only 8 cases of political dacoity. Therefore I say that there is time for consideration, time for correction. If they correct themselves, I can assure you, as in my case, the mentality, the idea of dacoity which Mr. Prentice and Mr. Reid has, will entirely change. I discussed this civil disobedience movement with them at Calcutta; and after seeing the records of the facts Mr. Prentice had withdrawn these cases. It is a legitimate demand that there should be an inquiry into the way these police officers go on; and in the course of a few years you will find that peace will be restored. But by spending Rs. 5 lakhs, even taking money, bribing with 5 crores of rupees, Government cannot restore the respect that is lost to them.

I now come to the Intelligence Branch. To me, Sir, it is sufficiently unintelligent. What do they do practically? I know they pay Rs. 40 to Rs. 50 to persons who secure information from the Congress Camp, and other undesirable elements. I know most of them are not loyalists at all. They have turned men to terrorism; far from taking authentic information, they intern and extern innocent young men. They invent, work up conspiracies. In this way things are done now, and they still continue, and this pestilence will go on, and continue to create more havoc————

[Here the member reached his time-limit, but was allowed to continue for a while.]

I submit at once, what is the harm if you accept the modest proposal made by Mr. J. N. Gupta, a retired Commissioner of the Presidency Division? The resolution runs thus:—

"This Council recommends to the Government that a Committee of Retrenchment be appointed for the province on the lines of the committee already appointed by the Central and some Provincial Governments to examine and consider all possible retrenchments of the administration both in the Reserved and the Transferred sides, and to recommend to

Government to take suitable action either in their own competence or by reference to the proper authority with a view to effecting a minimum reduction of 10 per cent. in the cost of the administration."

I submit, I ask the Hon'ble Member to consider this proposal to cut down not from the lower grades but from the people who are in the higher grades. All I. C. S. pay should be reduced by at least 40 per cent., by which there will be a saving of at least four times this demand of five lakhs of rupees. I know what will be the result of this motion, if accepted. I would suggest that this motion should be discussed in public, I do not mean the general public, I do not mean graduates from the Universities, but if they are lawyers of Calcutta from all the courts, I do not mean those who joined the civil disobedience movement, but those who have no faith in non-co-operation or the Congress movement; I mean the old people who are loyalists and moderates. If they challenge this demand, it cannot be carried, though in this House I know it will be carried. I heard this morning that the Member in charge of the department had a conference with the Proja party, and they arrived at a definite conclusion to support this motion; therefore I know our cry is the cry in the wilderness. I remember one poem I learnt in my childhood's days; "one seer of milk will not help to save many lives".

Does Mr. Prentice think that this five lakhs of rupees is going to save the lives of many people. It is impossible. People are more honest, more gentlemanly————

[Here the extra time which was allowed having been reached the member resumed his seat.]

Babu KISHORI MOHAN CHAUDHURI: I beg to move that the demand of Rs. 5,15,000 under the head "26.—Police" be reduced by Rs. 2,00,000.

Sir, at the outset I say if any expenditure in the way suggested will remove the terrorist movement, I would wholeheartedly support that. We all abhor the movement. We all know that this country will not be benefited by it. On the other hand this country's best interest will be jeopardised. Out of Rs. 5,15,000 demanded by the Hon'ble Mr. Prentice I suggested that the demand be reduced by Rs. 2,00,000. The question is whether the police force is inadequate or whether it is inefficient. Upon determination of these two questions the whole thing rests. If it be said that the present police force is inadequate then in that case certainly an addition should be made to it. But if it be a question of inefficiency, I think, the remedy suggested by the Hon'ble Member will be of no avail. We all know what happened in Pabna, Mymensingh, Dacca and Midnapore. The police practically did nothing and the people suffered most. I know in my own district recently there were four dacoities; and in two cases the accused were discharged by the Deputy

Magistrate and two cases ended in acquittal. From the beginning of those cases we were convinced that the police proceedings against them were misdirected. If any practical steps had been taken to include the efficiency of the police, things would have been quite different. Police make their own reports and those reports are accepted without any question in many cases. I feel that much of the difficulty would have been avoided if these dacoity cases had been treated as ordinary criminal cases. The fact remains that the police is inefficient. Every act of terrorism perpetrated in open daylight shows clearly that it is simply due to police inefficiency. They do not know how to prevent crime and what protective measure ought to be taken. Simply for that reason such things happened. Now, Sir, in the province practically most of the people are suffering very much from famine and the Government are not in a position to spend much money, owing to financial stringency, for their relief, so further expenditure should not be made for this purpose in order to provide additional police. It is absolutely necessary that money should be spent for improving the condition of the famine-striken people. I trust if the Police Committee and if the non-official members of the Council had been taken into confidence, they would have agreed with me. What is the result of the terrorist movement? Has this been stopped? It depends on the efficiency of the police and for this proper arrangement should be made for getting accurate information and steps should then be taken for maintaining law and order. This lack of efficiency in police was amply shown in Pabna, Mymensingh, Midnapore, Dacca and many other places. People approached the police for relief, but no practical steps were taken. I must say that there is plenty of room for improvement; the people should be taken into confidence and advice of police should not be taken without thorough scrutiny. We all know how things are managed in mufassal. If something ought to be done to deal with the terrorist movement, let there be an additional expenditure of three or four lakhs of rupees. Blame is put on the civil disobedience movement, but I say there is no civil disobedience movement at present. We expect that in the Round Table Conference some practical measures will be taken; so we ought to wait and we should fight when that fight comes. If the Round Table Conference ends in a fiasco, it will be time for the people to see what steps should be taken to improve the efficiency of the police.

5-30 p.m.

It is for this reason I suggest that it is not the time to spend such a large sum of money for the improvement of the police force. In my opinion in place of the present staff of the Intelligence Department and the C. I. D., more competent persons ought to be appointed, men on whom people will have some confidence. This is the remedy, and with this object in view I have brought forward this amendment. I do not

say that do not spend a single farthing on police. I say spend money for meeting the real necessity and do it cautiously, especially in view of the present financial position of the country. If you think the grant is not enough and a further grant is really necessary, you ought to satisfy us, the representatives of the people, by taking some of us into confidence that there is sufficient reason for further grants. We would then support you. Without that you would not be justified in asking us to vote this demand. With these few words I commend my resolution to this House.

Mr. P. BANERJI: I beg to move that the demand of Rs. 5,15,000 under the head "26.—Police" be reduced by Re. 1 (to raise a discussion about the uselessness of further expenditure in connection with the department).

Sir, speakers after speakers have spoken against the further grant of Rs. 5,15,000, and they have said that any more grant to the police would mean more maladministration and mismanagement of the country. Sir, the arguments that have been put forward by the Hon'ble Member in charge of Police Department are not convincing. He has not given any definite scheme for stamping out of the terrorist movement or for ensuring protection of the people in general of this country; several speakers have already said, especially my friend Munindra Deb Rai Mahasai that even after 120 years under the British rule we are practically helpless and defenceless, and we cannot look forward to the time when we will be able to protect ourselves. The Hon'ble Member himself has stated that more than 1,544 dacoities have been committed during the last five months of this year in comparison with the same offence committed in the year 1930. From an answer given to a question by the Hon'ble Mr. Prentice it appears that these dacoities are increasing. Out of those cases only 7 have ended in conviction. We who come from the mufassal know to our cost that we are practically helpless; we are in the hands of dacoits and other bad people in spite of the fact that we are under the protection of the British Government for the last 120 years. The argument has been put forward by the Hon'ble Member in charge of the Police Department that it is due to the civil disobedience movement that this terrorist movement has got encouragement. May I know what is the reason behind the statement? As every one of us knows, it is a movement of non-co-operation. (A VOICE: No.) You might differ. Unfortunately in this country during the last civil disobedience movement, as every one is aware, Government created a situation of helplessness by letting out the ordinary criminals from the jails to make room for the persons that were arrested in connection with the civil disobedience movement with the result that these criminals began to commit dacoities. It has already been said that the police are always busy with the civil disobedience movement or the non-co-operation movement or with those persons who are out to preach swadeshi, rather

ian with the criminal of the province. After all if people preach radeshi, is that an offence? Even the other day no less a person than ie President of the European Association said in public that they were ere for a certain principle and that principle is to educate the Indians the principle of self-determination.

Now the difficulty is that this is a fight between the Government on ie side and the people fighting freedom's battle on the other. If these uropean gentlemen—I mean those independent Britishers instead of ding with the Government in season and out of season on every easure and also instead of approving the Criminal Amendment Bill id various other similar measures and whatever grant is put forward indly, if these Britishers sided with the people, the things would have en different to-day. I say why try to thwart the legitimate aspiration the people of this country by creating an atmosphere of terrorism by e police?

During the last civil disobedience movement in Midnapore and in e 24-Parganas and other places innocent people were shot down without ıy reason. I have got a paper just now in my possession (and it is rprising that nobody took any notice of the murders) in which you ill find that in one day on the 31st May——

Mr. PRESIDENT: What do you propose to read from that paper? as it anything to do with the present demand?

Mr. P. BANERJI: I want to show by reading from the paper that cause there has been a murder of one or two or three high Government ficials this demand has been put in, but I ask the Council to consider iat is the root cause of these murders. The root cause is that on a ıgle afternoon 12 innocent persons, almost all of whom were cultivators can read out their names also) were shot by the police and shot not by ick shots but by bullets.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, is that in order?

Mr. PRESIDENT: I think the question of civil disobedience was ne into by you and probably he wants to show that the worst happenings the civil disobedience movement were due to incidents like these. that your point?

Mr. P. BANERJI: No, Sir, that is not my point. My point is that e Government's attitude is to terrorise the people. My point is that ıring the civil disobedience movement, in order to suppress it, Government took to violence and deliberately killed people like cats and dogs th the result that in some places some of the people could not keep emselves non-violent after the gravest provocation that Government

gave, and they became desperate and in a spirit of retaliation committed some murders and thus one or two police officers were murdered. My submission is that in order to————

Mr. PRESIDENT: You had better clear that point up. It may be that you think that these murders were committed because the police had shot down some men during the civil disobedience movement. But you leave us in the dark as to whether you approve of the murders of officers and consider any measure necessary for their protection.

Mr. P. BANERJI: No question of approval or disapproval arises. No sane man ever approves of any murder. My point is that whenever there is any murder it is ascribed to terrorist movement, but I say it is the result of the present policy of the Government in giving the gravest provocation to innocent people. These innocent people who were pledged to non-violence were given much provocation. Just imagine how 12 innocent persons were shot dead in five minutes. Does Mr. Prentice approve of these murders? My submission is that it is now time that Government should put a stop to this sort of thing. Several questions were asked in this Council and the Hon'ble Member was requested to cry a halt and not to let loose the police on the people in the way it has done. It is as a result of the police provocation that some young men now differ from the non-violence movement of Mahatma Gandhi.

Mr. PRESIDENT: We have nothing to do with that. You have made it quite clear that a situation has been created. I now want you to say with reference to the motion itself as to whether the remedies suggested by the Hon'ble Home Member are actually required or not.

5-45 p.m.

Mr. P. BANERJI: I meant to say that these are not at all good. The additional police grant for the protection of high officials and for the Intelligence Branch is not for the good of the country. One important point has been emphasized by the Hon'ble Member, viz., that the additional police grant is meant for the protection of Chittagong, the eastern frontier of Bengal. In the answer given to a question we find that the number of dacoity cases has fallen off since the armoury raid at Chittagong. I submit, Sir, that if this additional grant is meant for the prevention of ordinary cases of dacoity, then more protection would be required for Rangpur and other places, where the dacoity cases have increased considerably in comparison with Chittagong, where the number of dacoity cases has come down to only 35. There must be some other reason for this additional grant, and may I inquire what it is? Is there any possibility of any invasion from any direction, say, either by the Burmese, or by people from the Chittagong Hill Tracts, backed by the

Chinese? In that case, it may be met by the military instead of this additional police. Another thing has been suggested, viz., that protective measures have to be taken. My suggestion is, as has been mentioned by other members, that five lakhs or even five crores cannot protect you from those assassins or people who are out to sacrifice their own lives. I submit, Sir, that instead of sanctioning this additional grant to the police, if all the Muhammadan members and the non-official Britishers join with us in refusing this grant, it will be a lesson to Government, for Government even in its well-established position knows very well that it has to depend on them, especially with regard to a demand like this. If it knows that the Britishers in this Council, who are interested in trade and who are living here from generation to generation, unlike these I. C. S. people—I mean the bureaucracy—who are here temporarily, are against it, that will be a lesson to Government, who will hestitate in the future to pursue its present policy of repression, and will be compelled to make a change in its policy, which tends to increase crime and not decrease it.

[Here the member having reached his time-limit resumed his seat.]

Rai Bahadur KAMINI KUMAR DAS: President, Sir, the Hon'ble Member in charge of Police has asked for Rs. 5,15,000 to be granted to meet the extra costs of bringing the police forces up to present minimum requirements. There have been good many motions—some of which are on the ground of economy, others for criticising the policy involved, and the most important one is from our hon'ble friend Maulvi Jalaluddin Hashemy, to raise a discussion about the overwhelming number of dacoities, thefts and burglaries in the province and the inability of the police to cope with the situation.

The Hon'ble Member has begun with Chittagong as the district which has necessitated his asking for additional grant for maintaining peace and tranquillity. I have submitted more than once before this House that true, there was an incident at Chittagong on the 18th April before last which was an indiscreet act of some persons befitting 1st day of that month. Besides this one incident I must say Chittagong has not given any cause to find fault with her inhabitants or to apprehend any force by the people of the district. Sometime ago a terror was infused into the heart of citizens and a Colonel had to go to Chittagong as Officer Commanding. Barricades were placed in different places and persons of all ranks were searched during all hours of the day. As this created panic we were called and this situation explained to us. It was pure apprehension which necessitated all these precautionary measures—there was nothing—no occurrence to conclude that there would be another such raid and no such raid did take place. Before and after this there have been no necessity for these measures. So I hope and trust that there is nothing before the House to conclude

that people of Chittagong are revolutionaries and for which additional police is necessary. If there had been any incident and that by some people of Chittagong I would submit there were black sheep in the flock and this solitary incident should not necessitate stationing additional police force at Chittagong.

With this observation let me now submit my views on the amendments. To begin with the last, it is true, very true, that there are dacoities, thefts and burglaries in the province but where have we found instances to show the inability of the police to cope with the situation? Are we not reading every day in the papers how police are chasing these dacoits to the bitter end endangering their own lives and succeeding in arresting these dacoits and sometimes killing them in hard fight? Have you not found how the police constable at Kabirpur bravely met his death while opposing the raiders there? Have you found a single instance where any of the police has betrayed his trust and taken to his heels in case of unexpected attacks which to our shame we are seeing often nowadays?

Everyone of us is expected to give his opinion about his own district, positive and sure. I know in our Chittagong police officers and constables are working night and day but it is not for me to say whether more would be required: that is for Government to decide.

Of course economy is urgently needed in all departments during this time of financial crisis but the economy should not be at the cost of our own safety and protection.

There are dacoities, thefts and burglaries. Those in charge of protection and administration are surely bound to protect us from them but I should think that there is a corresponding bounden duty on the part of those to be protected to help themselves and that is why I am sincerely trying to get an opportunity to do so by organising volunteer corps to protect us from these dacoits, thieves and burglars. We should all insist on the Government to give us an opportunity to form such volunteer corps in our respective districts and villages and before this is done there cannot be any economy which may minimise our means of protecting ourselves and our property from the dacoits and thieves.

As for myself I have my personal reason to support the motion of the Hon'ble Member. I come from one of these 52 villages of Chittagong where punitive police forces have been stationed. The villagers are very poor and the distress is acute there. Those calm, timid, loyal poor villagers are trembling with fear as it has been given out that some sections of them will have to pay about five times their chaukidari tax for maintenance of these punitive police. To know the real truth I put a question in this Council and the Hon'ble Mr. W. D. R. Prentice was pleased to say that no proposals had yet reached Government as to the distribution of costs. This leads me to hope that the

Hon'ble Member while asking for this grant has before his mind's eye the poor and helpless condition of ours and he asks for this grant to meet the extra cost like those mentioned in expectation of which I heartily support his motion.

Mr. J. N. GUPTA: Sir, I rise to congratulate the Hon'ble Member on the very lucid, exhaustive, and, on the whole, very sympathetic description of the present situation in the country, which has induced him to come before us for an additional grant for police to the tune of Rs. 5,15,000. Sir, on such occasions I have stood before this House and argued that there is a good case for retrenchment and economy in the administration of the Police Department. There is no doubt whatever that on broad general grounds the expenditure on police does call for economy, but on special occasions like this, especially after hearing what the Hon'ble Member had to say about the present situation in this province, I think it is our duty to support this demand for additional grant. Of the two main reasons he has given for increasing the police force in certain districts, the first is that he apprehends that there may be a recrudescence of the civil disobedience movement in a still more acute form in the future, and, secondly, that there is in this province a widespread terrorist movement. He has also referred to the tragic incidents under the shadow of which we are still now. As regards the first, I think there may be reasonable difference of opinion whether or not this movement will take a more bitter form in the future or whether there will be peace as a result of the Round Table Conference. Therefore, that part of the demand which relates to the increase of the reserves in the districts, and which, I take it, is meant to meet the contingencies which might arise as a result of the recrudescence of the civil disobedience movement in the future, perhaps, requires the consideration of the Hon'ble Member. In any case, I hope it will not be extravagant on my part if I request him to consider whether it is necessary to have a grant to the extent he has asked for.

Sir, the position of the elected members—especially on this side of the House—is rather difficult. Whereas many suggestions have been made that a committee should be appointed to consider the question of retrenchment in the whole administration—and especially in the Police Department—they do not meet with that amount of approval and encouragement which we expect: on the other hand, on occasions like this we have to support the Government because the needs of the country are so clear that it is the bounden duty of every member to stand the risk of being considered as neglecting our duties to the people. Therefore, I am prepared to support Government as regards this demand. I would request the Hon'ble the Finance Member as well as the Hon'ble the Home Member that, in view of the general desire that there should be a retrenchment committee to consider the whole

question of expenditure—particularly of the Police Department—they would be pleased to give attention to this matter.

As regards the grant itself, my friend Mr. Basu has pointed out that there are some difficulties in arriving at the figure which the Hon'ble the Home Member has put before the House.

6-15 p.m.

We do not know how those figures have been arrived at. But I would request him that it would satisfy public mind if he gave the hon'ble non-official members of this Council an opportunity of looking into the expenditure of the Police Department and for the maintenance of law and order in the country. With these general observations I hold that in view of the grave situation which now prevails in this province I would support the request of the Hon'ble Mr. Prentice and ask the Council to grant him the money he wants.

Khan Bahadur Maulvi AZIZUL HAQUE: Mr. President, my friend Mr. Shanti Shekhareswar Ray in speaking on his amendment before the House said that he came here to speak out his mind and hoped that it would be very well if all the members did so. And, Sir, our attitude is so often misunderstood that at times it is very difficult to speak out one's own mind. I hope, Sir, that you will agree with me that practically similar conclusions are shared by all the members of this House on this motion. But still, Sir, at the risk of our position and our motives being misunderstood we have all to discharge our duty as members of this Council with conscience behind us with the country before us and with its situation and circumstances around us.

So far the motion before this Council has been discussed from two points of view. One point is that police expenditure has been swelling up so much from the year 1913-14 up to now that no remedy can be had except by retrenchment. So far as the members on this side are concerned we are in perfect agreement that the situation has come to such a position that it demands the strictest scrutiny. Police expenditure has swelled up to such an extent that it is time that we should not content ourselves only with the views of the Treasury Bench but also that non-officials should also be allowed an opportunity to look into the affairs of the Police Department and state their views as to the need of more money in it. I do not by this mean to say that all this expenditure is necessary, or that the present grant to the Police Department is insufficient. But I must say that the people have got the impression that expenditure in the Police Department is rather excessive and would accordingly say that now on the verge of provincial autonomy it is only meet and proper that people should be allowed to scrutinise the expenditure in the Police Department. Therefore, Sir, I say that non-officials should be allowed an opportunity

to go into the expenditure of the Police Department in detail and suggest remedies and retrenchment. I am in perfect agreement with this view. In this connection I might refer to the statement of the Hon'ble Mr. Marr that it would be open to the Public Accounts Committee to recommend retrenchment in the Police Department and in view of the fact that the Public Accounts Committee is going to meet this week end and also in view of the fact that the suggestions of Mr. J. N. Gupta had no opportunity of being considered by the Public Accounts Committee, the Public Accounts Committee should take up the question of retrenchment and consider if there is scope for retrenchment in this department. In the matter of the appointment of a Retrenchment Committee we are at one with the members on the other side but in the matter of reducing this demand we do not see eye to eye with them. Mr. Shanti Shekhareswar Ray stated that in his opinion reserved police was not at all urgent so far as Bengal was concerned. Others went on on the lines of what is called pathological treatment. I am sorry, Sir, that some of my friends have entered into these questions which should not have been entered into, specially in view of the Agreement which has been arrived at between Mahatma Gandhi and Lord Irwin. Both sides have decided to stop these discussions with a view to create an atmosphere for peaceful settlement of this matter; but unfortunately certain controversies have been brought in and I do not want to be a party to it save to say this much that Government take a psychological view of the matter and the way in which the Government of India and the Viceroy are anxious to have Mahatma Gandhi at the Round Table Conference indicates that Government mean serious business and want to know the minds of the people in this matter and it is but reasonable for my friends to give Government some little time to consider this matter. After all for the last six or seven years Government have been trying to find out the best way to reduce expenditure and even if it wanted to divest itself entirely of all its powers it cannot easily do so for it requires very careful thinking out and evolving a scheme in furtherance of it. I think, Sir, that we are all pledged to the policy of creating a peaceful atmosphere in this country and for the maintenance of law and order. If at this time questions are brought in that might put an obstacle in the way of that situation I would appeal to my friends to look at this question from the other point of view, viz., that once Government has entered into the question of settlement of political difficulties of India we should not enter into those questions. Therefore, Sir, I say that when Mr. Ramsay Macdonald during his speech at the Plenary session of the Round Table Conference said you cannot run a whole country with a military force from Cape Comorin to the Himalayas, it is the desire of England to tackle the terrorist movement by peaceful methods.

My friend has spoken of the number of dacoities committed in Bengal and has also said that the police force is inadequate. I do not

know whether some of my friends at least had ever had the opportunity of going to a village. The mufassal police have to watch over an area of 10 to 12 miles in length and breadth with one sub-inspector and six constables or, sometimes, as my friend says, with two sub-inspectors and six constables. With this force they have to guard an area of 100 square miles of the country which is sometimes full of flood with the result that communications are impossible and with the economic depression in the country increase in the number of dacoities is nothing to be wondered at. And so to check crimes more police force will be required; Sir, even when a dacoity case is finished the sub-inspector has to attend the courts three or four times. I had been to Midnapore in connection with one or two dacoity cases and know that in such cases the police-station is practically depleted of its staff. And, therefore, I submit that in view of the enormous increase in crime a certain amount of reserve force is necessary. After all we cannot expect the present men to discharge their duties while a large number of crimes during the economic depression is constantly taking place. If my friends look at the figures of dacoity cases they will find that they are often of a trifling nature. I myself had occasion to look into some of these dacoity cases. One was a sweetmeat theft case, one was a theft from a grocer's shop and so on. This will show that the economic depression is so much felt that the people of the ordinary class will commit the most ordinary crimes in which they would go round the houses or shops of their neighbours and steal something.

As regards the question of acquittal or conviction in dacoity cases I think my friend Mr. Jalaluddin Hashemy should be a juror at least for once, and see how a jury's verdict is given. I do not want to say how juries are constituted and what sort of class they come from. I have had experience of it sometimes. In dacoity cases there is a predilection for conviction. I had been in a recent case at Midnapore in which although there was absolutely no allegation against the accused and although in fact he confessed against himself yet he was convicted. But this is not the usual case. Having regard to the fact that the mufassal jury comes from the villages it is not to be wondered at that they should be given to conviction. From this it can be seen that convictions are not made at the instance of the police. In any case, Sir, I think that the demand for this grant has not been considered on its merits. In the first place there is a crime wave just now in Bengal, due to reasons which I need not enter into and unless there be an increase in the police force it is impossible for them to maintain law and order: while on this ground I admit the necessity of this demand being passed yet at the same time I would make it clear that I agree with Mr. J. N. Gupta that at the earliest possible date a committee should meet with a view to inform the public as to the state of affairs with regard to police expenditure so that they may be satisfied as to the necessity or otherwise of demands of money for the police.

Sir LANCELOT TRAVERS: Mr. President, I deplore the necessity of this expenditure. We feel as indeed every Indian member of this Council feels that if any money is to be spent it should go towards the enormous field of work in this province, namely, the uplift of the people. Although we have that fact constantly in our minds we think that a motion like the one before the House at the present moment is one which is summed up in one word—responsibility. We have a responsible Minister of His Majesty in this province who comes to us and says: it is essential for the preservation of law and order in the province that further police forces should be given and I ask for money for that purpose.

6-15 p.m.

At the present time, we all know that the finances of the province are such that it is not likely that a responsible Minister would ask for this money if it were not essential. We feel, moreover, that it is essential for we have had before us most regrettable exhibitions of a lawlessness which is spreading and, therefore, we consider that it is our plain duty to vote for the motion before the Council.

Maulvi ABUL KASEM: Sir, if you look at the figures and notice the gradual rise in police expenditure from 1913 till to-day the inclination will be to ask this House to refuse the grant (hear, hear). But, Sir, finding as I do the situation as it is at the present moment, and in which we have been placed, forces me to say that however bad it may be, we have to make this grant in order to protect the life and property of citizens and what is more—that no justification be given to the police for their neglect of duty. I have been told in this House that there ought to be a change in the policy of Government. Therein I agree, though from a different angle. It has been said that this anarchist movement flourishes and has come into existence because of the fact that there has been terrorism in the land. So far I have known, the terrorism comes from the organised body of anarchists and their friends who are cowards, if I may say so, and who do not dare to come forward and speak openly, but instigate these young men to commit terrorist crimes. I see that Government has been charged with neglect of duty as they have allowed the instigation and incitement to crimes to go on from all sides, from the press, from the platform, from the stage and from the screen, and they have taken no steps to suppress that and after all when there is an overt act of anarchists what do they do. They at once place police guards which costs us extra money and try to protect certain particular places. But I may tell the Government that any amount of wire-netting round about Writers' Buildings, the District Judge's Court at Alipore, or the thanas, will not protect either the officials or the people at large. The question is after all that the members of Government are also human

beings, they have to go out and they have to come in, and by simply taking precautions against anarchists coming into Government offices you cannot protect their lives. Sir, the time has come when something ought to be done to give at least an assurance of security to the citizens not only of this place but of the whole presidency.

Sir, attention has been drawn to the fact that a large amount of money is spent on the Criminal Intelligence Department. I understand that the business of this department is to find out criminal conspiracies of whatever kind it may be, it may be murder, dacoity or anything else, but I want to know from the Government benches if this department has ever laid its finger on any of these organisations or brought to book any of them before some overt act was committed. It is only after the sacrifice of certain individuals that the activities of the department are to a certain extent manifested.

I have been told that the number of dacoities have increased. There was a time, Sir, when a visit to the jail was considered a sin. The people of the country looked upon a jail bird as they would look upon a leper. But the times have changed. Now a visit to the jail for whatever offence it may be is considered an act of patriotism and of great national duty, and it is a qualification for anything including securing service. That is the reason, Sir, why dacoities which were at once time condemned as criminal acts are at the present moment considered to be only a pleasant and fashionable pastime of some of our people. At one time political dacoities were considered acts of public service, but now in the name of political dacoities if a number of young men combine themselves and commit dacoities for their private purposes they become objects of compassion and pity rather than of hatred because of the fact that they once declared themselves as political dacoits.

As my friend, Khan Bahadur Maulvi Azizul Haque, has said, the time has come when we should scrutinise the expenditure, particularly of this department. There is no doubt of it. I think whatever committee sits for the scrutiny of this expenditure to find whether the expenditure is lavish or unjustifiable will have also to look into the policy of Government which is entirely responsible for this increase of police expenditure. I am sorry, Sir, that I cannot move for the reduction of the grant because we have been cornered and there is no other way but to do it. At the same time, however, I would urge upon the Government that if they would only change their policy and take a courageous, bold and vigorous step for the protection of life, the police expenditure could be reduced by 50 per cent.

Mr. C. R. DAIN: Sir, I shall be very brief for the reason that you have deprived yourself of the pleasure of witnessing a very good football game on account of your devotion to duty, and I must express the admiration of the House for your doing so. I shall touch the motion

of my friend Mr. Hashemy in which he has moved a reduction on the ground that the percentages of dacoities detected are low, and at the same time he has attacked the skill and acumen of the detective department. My friend, Mr. Abul Kasem, rather indicated the lines on which I desire to speak. There are not many members of this Council much older than I am, and I wonder if any of them have cared to notice the number of undetected murders committed in the British Isles. I should imagine that it must be capable of being counted on the fingers of one hand possibly, may be two. Murders are nothing but dacoities committed for vengeance or loot. On the other hand I agree with Mr. Hashemy that the percentage of detected cases of dacoities is low. But one must look to the reason, we must see the difference between the Western European countries and India. In this connection I want to put this point. When there is a street brawl in Paris, London, or any of the Western European cities, there the police is always in the minority, but the whole of the citizenship which sees that show is practically speaking on the side of the police, in fact it is their own city. Similarly, if a murder or dacoity is committed in a city in Western Europe, the whole of the population are on the side of Government and they endeavour to detect that crime. Now, I ask this House whether when a dacoity occurs or any act of violence occurs the police and their detective force have the whole of the people of Bengal behind them to assist them and give them every information in detecting that crime. I submit, Sir, that a very large proportion of the people will not interfere on the ground of fear. But there must be an enormous number of people who know where these gangs live, and I maintain that instead of vilifying the police which seems to be one of the pastimes of certain members of this House, members should endeavour in their turn to see that every Bengalee stands on the side of law and order.

Mr. W. L. ARMSTRONG: Sir, it is difficult for me to imagine that the gentlemen occupying the Government benches represent a tyrannical Government such as has been described by Mr. Hashemy. The fact seems to have been overlooked that Government is composed of men and I fail to see anything approaching tyranny in the Ministers who attend this House.

Much has been said about the causes of the civil disobedience movement and the present unrest. I declare that if half as much energy were spent by parents and politicians on training the young mind to respect law and order as is given to the encouragement of open defiance against all authority, the necessity for an extra police grant, which we all deplore, would not arise; the burden on the tax-payer would be less, and there would be peace in the province.

Mr. Dain has forestalled me by referring to the police of other countries. The Metropolitan Police Force of London, which I regard

as the finest police force in the world, is in my mind, but could such a force work so efficiently in an environment such as we have here? In London it is regarded as a social duty to assist the police; but here the police receive vilification, hatred and even brickbats when discharging their duty. To hear some references to the police, one would imagine that we breed a special type of men, different from all other types for police service. Are they not ordinary human beings, simply trained and disciplined for arduous, difficult and—at the present time in particular—dangerous duty.

One of the movers of a cut argues that we should have quality and not quantity, and he cites instances when the police have not been present when crimes have been committed. Well, Sir, a criminal naturally selects a time for his activities when he sees the police are away from the scene, and it must be apparent that if every building is to be guarded and every individual protected, that a grant of Rs. 5,15,000 would be entirely inadequate, and something like five crores of rupees required to cover the whole of Bengal.

Truly the words of Gilbert are applicable in Bengal: "A policeman's lot is not a happy one." Yet I have sometimes heard *parawallahs* comforting themselves with song. Can it be that they chant "'Oh for the wings of a dove' that I might fly from bookshop to Government buildings and police-stations!"

My appeal is that every parent in Bengal should impress upon his sons the value of respect towards constituted authority, both in the home and in and out of school. Some days ago we listened to an ably delivered account of the achievements of the College of Science, but into what kinds of men are our present students likely to develop. Knowledge of science and the arts is a valuable asset, but what if such knowledge is misapplied and not backed by good character. It would seem that we are turning out a race of young rebels, destined to be enemies to themselves and against society in general. Instead of these boys becoming skilled lithographers and skilled draughtsmen, probably we shall find them develop into skilled forgers. Instead of applying their knowledge of chemistry for the manufacture of explosives to blast the minerals of the earth for the use of mankind, they may turn their knowledge into manufacturing bombs to end valuable lives.

May I appeal again, Sir, to members like Mr. Hashemy and others of his way of thinking that they will use all possible influence to see that the rising generation of Bengal is not contaminated by a spirit of rebellion, just at a time when they should be learning the meanings of right and wrong. I hope they will change their points of view and assist Government in their attempts to have the administration of this province run smoothly and efficiently.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I am very thankful for the way in which this demand has been received, and even though certain remarks have been made against this excessive expenditure on the police, I fully appreciate the reasons which have prompted the speakers who made them. I agree that in the present financial condition of Bengal, great care should be taken before any further expenditure is incurred, and I admit that the proportion of the expenditure on the police, in comparison with the total revenues of Bengal, is undoubtedly large, much larger than in any other province in India. But I can assure the House that this is inevitable just as long as the situation compels us to spend money on protective and preventive purposes for the safety of life and property instead of on other matters which we have so much at heart. But as soon as conditions improve and the peace and tranquillity of the province is restored, every effort will be made to reduce the force and to have the expenditure curtailed.

I can assure Mr. Gupta, and those who think like him, that economy is always before our eyes, but we assured ourselves that this was an absolute necessity before taking steps to place this demand before the Council.

Certain speakers suggested certain methods of retrenchment in order to meet this demand. I think Mr. Narendra Kumar Basu, being a lawyer, will appreciate the obligations of this Government under section 96 (B) of the Government of India Act, and as long as this section remains unaltered, any reduction of salaries in this province is beyond our control. Mr. Gupta suggested a retrenchment committee, but the matter of a retrenchment committee is not for my decision. This was the subject matter of another resolution, but for want of time it was not reached. It has been suggested that a closer scrutiny should be exercised over the expenditure on police, and it was also suggested that non-officials should be given an opportunity of exercising their power of check. I forgot to mention when I moved the motion that I placed this demand before the Standing Committee of this Council, and it was examined in detail by that Committee which consists of elected members of this House and they unanimously supported the demand. The Standing Committee of this House is so representative of this House that the Council can exercise through them all the check they desire. If any decision were arrived at to set up a retrenchment committee on police expenditure, I am perfectly certain, as I said once before, that it will be found practically impossible to cut down this expenditure, and the Committee, with all the facts and figures before them, will agree with all the responsible officers in the mufassal who are responsible for law and order and have supported Government in their demand, that the forces are insufficient at present for what is required of them, and instead of recommending a decrease in expenditure the Committee will find themselves in the position of supporting an increase.

Mr. Gupta has said that he would like me to go through the demand and see whether it cannot be reduced by at least a lakh of rupees. I can assure him that the demand was scrutinised very closely in detail by the Finance Department, and anything that was not essential, was cut down. It may be that recruitment may not be quite as quick as we have forecasted, and this may result in a slight reduction in the cost, and I can assure the members that the utmost economy will be exercised.

Some criticism was made of the details, and I was asked how the figure for the range reserves was arrived at. These figures include not only recurring expenditure, but also non-recurring expenditure. The new force will have to be provided with uniforms, guns and various other things, and out of the demand of Rs. 3,56,891 asked for, for this, Rs. 1,60,053 is non-recurring expenditure. I also explained that the demand included the usual complement of inspectors, sub-inspectors, sergeants and head constables and constables, and their pay is included as well. If my arithmetic is wrong, the Finance Department will, I am sure, correct it and reduce the figures to their proper proportion.

Mr. Shanti Shekhareswar Ray suggested that the expenditure might be reduced by the use of the military. Government asked for the assistance of the Assam Rifles and the military when conditions in Chittagong were very bad. The state of things now in Bengal is, I am thankful to say not so bad that military aid is necessary. What we have to face at present is purely a task for the police, and the military cannot be used for what are purely police duties.

Khan Bahadur Maulvi Azizul Haque has suggested that non-officials should be given an opportunity of examining the details of police expenditure. I would refer him to what I have already said, that this expenditure has already been examined by the Police Standing Committee which is fully representative of the Council.

Some speakers have referred to the small number of convictions in dacoity cases. Reports show that the police have submitted charge sheets in 160 cases, and when these are disposed of, I hope the number of convictions will be considerably larger. The police do all they can in the way of sending up cases, but the results of the cases, of course, are not in their hands.

Maulvi Abul Kasem gives his opinion that much of the terrorism comes from organised bodies of anarchists and their friends, and criticises Government's policy in dealing with this. He also said it was due to seditious speeches and writings in the press, and other similar matters. He knows the difficulties of Government in dealing with the Press in Bengal. The Press Act and the Press Ordinance have both been repealed and I regret to say their repeal has had very bad results in Bengal. Some of the writings which appear in the daily Press are really very bad. Furthermore, on the general question of

the regard paid to both truth and accuracy in press publications this may be judged from some of the press reports appearing in two leading Indian dailies—which have taken sides in the split in the Congress in Bengal—when they report the same meeting. Members will agree with me when I say that we find it difficult sometimes to ascertain whether the reports refer to the same meeting. In these cases perhaps the independent police reports submitted to us are much nearer the truth. Under the law as it stands, we cannot do much to improve the situation and it is becoming increasingly clear that a Press Act is very badly needed in this province. But I can assure members that we are doing all we can, and using all the powers we possess at present to deal with these matters, and to prosecute where evidence is available and a prosecution will serve any useful purpose.

As regards the present demand, I can assure the Council that as soon as conditions improve, expenditure will be reduced, and on that understanding I appeal to the Council to sanction this demand.

[At 6-30 p.m. the Council was adjourned for prayer and it reassembled at 6-40 p.m.]

The motion that the demand of Rs. 5,15,000 under the head "26.—Police" be reduced by Rs. 5,14,999 was then put and a division taken with the following result:—

AYES.

Bakeh, Maulvi Syed Majid.
Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Choudhury, Maulvi Nural Absar.
Chowdhury, Maulvi Abdul Ghani.
Fazlullah, Maulvi Muhammad.
Hashemy, Maulvi Syed Jalaluddin.
Hossain, Maulvi Muhammad.
Maiti, Mr. R.
Mookerjee, Mr. Syamaprosad.
Poddar, Seth Hunuman Prosad.
Rai Mahasai, Munindra Deb.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekhareswar.
Ray Chawdhury, Babu Satish Chandra.
Rout, Babu Hoseni.
Samad, Maulvi Abdus.
Sircar, Dr. Sir Nilratan.

NOES.

Armstrong, Mr. W. L.
Austin, Mr. J. M.
Bakeh, Maulvi Shaik Rahim.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Barma, Rai Sahib Panchanan.
Basir Uddin, Maulvi Mohammed.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Burai, Babu Gokul Chand.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chowdhury, Haji Badi Ahmed.
Clark, Mr. I. A.
Cohen, Mr. B. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Das, Babu Satyendra Kumar.
Das, Rai Bahadur Kamini Kumar.
Dash, Mr. A. J.
Faroqui, the Hon'ble Khan Bahadur K. G. M.
Fawcus, Mr. L. R.
Gangali, Rai Bahadur Susil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Gupta, Mr. J. N.
Gurner, Mr. C. W.
Haque, Khan Bahadur Maulvi Azizul.
Hossain, Nawab Musharrul, Khan Bahadur.
Hussain, Maulvi Latafat.

Kasem, Maulvi Abul.
Kerr, Mr. W. J.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Amin-uz-Zaman.
Khan, Mr. Razaur Rahman.
Luke, Mr. M. R.
Macalister, Mr. A. S.
Marr, the Hon'ble Mr. A.
Mitter, Mr. C. C.
Mitter, the Hon'ble Sir Pravash Chunder.
Mukherji, Rai Bahadur Satish Chandra.
Mullick, Mr. Mukunda Behary.
Momin, Khan Bahadur Muhammad Abdul.
Nag, Babu Suk Lal.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Nelson, Mr. J. W.
Norton, Mr. H. R.
Ormond, Mr. E. C.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Raheem, Mr. A.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur-
Ray, Babu Nagendra Narayan.
Ray Chaudhuri, Mr. K. C.
Reid, Mr. R. N.
Roy, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Saadatullah, Maulvi Muhammad.
Sahana, Babu Satya Kinkar.
Sarkar, Sir Jadunath.
Sarkar, Rai Sahib Rebati Mohan.
Sen, Rai Sahib Akshoy Kumar.
Singh, Srijut Taj Bahadur.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Soleiman, Maulvi Muhammad.
Suhrawardy, Mr. H. S.
Sumner, Mr. C. R.
Travers, Sir Lancelot.
Wordsworth, Mr. W. C.

The Ayes being 20 and the Noes 75, the motion was lost.

The following motions were then put and lost:—

"That the demand of Rs. 5,15,000 under the head '26.—Police' be reduced by Rs. 5,14,998 (on the ground of economy)."

"That the demand of Rs. 5,15,000 under the head '26.—Police' be reduced by Rs. 5,00,000 (with a view to press the desirability of exercising effective economy and intelligent administration of the department)."

"That the demand of Rs. 5,15,000 under the head '26.—Police' be reduced by Rs. 4,00,000."

"That the demand of Rs. 5,15,000 under the head '26.—Police' be reduced by Rs. 2,00,000."

"That the demand of Rs. 5,15,000 under the head '26.—Police' be reduced by Rs. 105 (to criticise the policy involved in this grant)."

"That the demand of Rs. 5,15,000 under the head '26.—Police' be reduced by Rs. 100 (to raise a discussion about the overwhelming number of dacoities, thefts and burglaries in the province and the inability of the police to cope with the situation)."

"That the demand of Rs. 5,15,000 under the head '26.—Police' be reduced by Re. 1 (to raise a discussion about the uselessness of further expenditure in connection with the department.)"

The motion that a sum of Rs. 5,15,000 be granted under the head "26.—Police" for the current financial year to meet the extra cost of bringing the police forces up to present minimum requirements was then put and agreed to.

Adjournment.

The Council was then adjourned till 3 p.m., on Tuesday, the 4th August, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Tuesday, the 4th August, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council and the three Hon'ble Ministers, and 105 nominated and elected members.

Starred Questions

(to which oral answers were given).

Sub-Inspector Mafizuddin Ahmed of Tangail.

*121. **Mr. NARENDRA KUMAR BASU:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether it is a fact that one Mafizuddin Ahmed, a sub-inspector of police, Tangail, Mymensingh, was sued in the Civil Courts for the refund of Rs. 800 taken by him as a bribe during investigation into a case of theft?

(*b*) Was the suit decreed by the Munsif and such decree upheld on appeal by the District Court and on second appeal by the High Court?

(*c*) Was it found as a fact by the Courts that the said Mofizuddin had obtained the sum of Rs. 800 from the plaintiff by coercion and as a bribe?

(*d*) Will the Hon'ble Member be pleased to state whether the said Mafizuddin Ahmed has, since the decision of the Civil Courts, been promoted to an inspectorship of police, D. I. B.?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes. The claim was for Rs. 1,000.

(*b*) The suit was dismissed by the Munsif, but was decreed on appeal by the Subordinate Judge, Mymensingh. On a second appeal to the High Court the decree was upheld.

(c) The Subordinate Judge found that Rs. 940 had been extorted by the sub-inspector. The Judge also made an award of Rs. 60 as compensation for assault.

(d) The sub-inspector is temporarily officiating as an inspector in the absence of a fully qualified officer.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether Government considered the desirability of retaining this officer in the Police service?

The Hon'ble Mr. W. D. R. PRENTICE: The trouble was that the Government knew nothing about the matter till they got notice of this question. The case occurred somewhere about 1925 and after the High Court decree the question of taking up proceedings against him was considered by the local officers. Under the rules in force we cannot act on a civil court decree to draw up proceedings. By the time the decree was passed the complainant was dead and witnesses for inquiry were not available. The sub-inspector had by then rendered five years' very good work and the local officers in the exercise of the discretion given them came to the conclusion not to proceed with the inquiry as witnesses would not be available. We knew nothing about it until this question was asked.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether in view of the judgment of the High Court it is creditable to the Police force of Bengal to retain the services of this gentleman?

The Hon'ble Mr. W. D. R. PRENTICE: I have already explained that the decree of the civil court under the rules is not a document under which the Government is empowered to act under the Classification Rules. The local officers considered the question of making an inquiry, but an inquiry was found to be impossible. Since the sub-inspector had done thoroughly good work, the local officers were justified in recommending him to act as an inspector of Police. The local officers knowing all the facts came to that conclusion.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state who drew up these Classification Rules ignoring the decision of the High Court?

The Hon'ble Mr. W. D. R. PRENTICE: The Classification Rules are framed under the Government of India Act and are issued by the Secretary of State for India in Council.

Medical examinations.

*122. **Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Will the Hon'ble Member in charge of the Local Self-Government [Medical (Reserved)] Department be pleased to state whether in the oral examination of the medical students, the examinees coming to Calcutta from outside, are examined first, whereas those of Calcutta are examined subsequently, with the result that the latter get ample opportunity to know the mode of questions put and the answers expected?

(*b*) Will the Hon'ble Member be pleased to state whether there is a rule to the effect that each examinee should be examined by a group of four examiners?

(*c*) If the answer to clause (*b*) is in the affirmative, will the Hon'ble Member be pleased to state whether the said rule is strictly given effect to?

(*d*) Is it a fact that some examinees are given opportunity to answer numerous questions, whereas others are denied even the chance of a next question being put to them if, perchance, their answers to the first question do not turn out to be satisfactory?

(*e*) Is it a fact that some examiners have got books written and published for sale, on the subjects in which they are appointed examiners?

(*f*) Are the Government considering the desirability of making a rule to the effect that henceforth no persons having written or compiled and published for sale books on any subject or subjects, should be appointed as examiners in the said subject or subjects?

(*g*) Are the Government also considering the desirability of making a rule to the effect that in future only the "Rolls" and the "Numbers" of the examinees, and not their names, should be sent out to the examiners?

MEMBER in charge of LOCAL SELF-GOVERNMENT [MEDICAL (RESERVED)] DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) It is not clear whether the question refers to the medical examinations of the Calcutta University or the State Medical Faculty. Government have no information about the former. As regards the latter it is understood that examinees from out-stations are usually set down for their *viva voce* first to minimise the expense of residence in Calcutta; but this is subject to the discretion of the examiners.

(*b*) No.

(*c*) Does not arise.

(*d*) This question amounts to a charge of lack of impartiality against the examiners which Government entirely repudiate.

(*e*) Yes.

(*f*) No; authorship of a book on a technical subject is generally regarded as a sign of special knowledge in it rather than as a disqualification.

(*g*) This question is for the State Medical Faculty in the first instance and Government will consider any proposals put forward by them.

Brojo Mohan College, Barisal.

*123. **Mr. P. N. GUHA:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the terms and conditions under which the Government agreed to give pecuniary help and regular grant-in-aid to the Brojo Mohan College at Barisal;

(*ii*) the names of the parties of such agreement and the date and year when it was entered into;

(*iii*) the total amount of the capital grant made to the institution till the end of March, 1930, and

(*iv*) the grant-in-aid agreed to be given by the Government per month and the total amount paid as grant-in-aid till the end of March, 1930?

(*b*) Will the Hon'ble Minister be pleased to state whether the terms and conditions agreed upon were ever violated? If so, by whom?

(*c*) Did the Government withhold the grant-in-aid at any time prior to the end of March, 1930? If so, when and for how long?

(*d*) Is the Hon'ble Minister aware that the Secretary to the Education Department issued a letter on March 21, 1931, intimating the stoppage of the grant-in-aid for the current financial year?

(*e*) If the answer to (*d*) is in the affirmative, to whom was the letter addressed?

(*f*) Is it a fact that the letter in question contained the following:—

"I am to add that the Government of Bengal have received information that the attitude of certain members of the College Council has been such as would disqualify the College for a grant under the grant-in-aid rules. The authorities of the College should therefore be informed that no grant will be sanctioned next year until Government are satisfied that there is no possibility of unsuitable persons becoming members of the College Council or continuing as members."

(*g*) Will the Hon'ble Minister be pleased to state—

(*i*) who were the members of the College Council at the time when this letter was issued and what were the interests they represented;

(*ii*) who amongst the members were the persons to the attitude of whom the Government took exception; and

(*iii*) what were the specific charges against such members and who made them?

(*h*) Did any one connected with the Department of Education ever go to Barisal to investigate the truth of the charges made against the member or members?

(*i*) Did the Government ever request the Inspectors of the Colleges in the University of Calcutta to make any investigation on this behalf?

(*j*) Has any member of the College Council resigned his seat since March 21, 1931?

(*k*) What is the position at present with regard to the grant-in-aid?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) (*i*), (*ii*) Copies of two indentures are laid on the Library table.

(*iii*) A statement is laid on the table.

(*iv*) The answer to (*a*) (*i*) gives full details of the conditions agreed to by Government. The recurring grants-in-aid paid by Government have been included in the statement referred to in the answer to (*a*) (*iii*).

(*b*) So far as Government are aware, the terms of the Trust Deed have not been violated.

(*c*) On two occasions, in 1927 and 1930, sanction to the payment of the grant was delayed, but the grant has never been withheld as is shown by the statement referred in the answer to (*a*) (*iv*).

(*d*) Yes.

(*e*) The letter was addressed to the Director of Public Instruction.

(*f*) Yes.

(*g*) (*i*) A list is placed on the table.

(*ii*), (*iii*) Government are not prepared to give this information.

(*h*) and (*i*) No.

(*j*) One member has resigned, but the date of his resignation is not known to Government.

(*k*) A formal application for the renewal of the grant for 1931-32 has not yet been received from the authorities of the College.

Statement referred to in the reply to clause (a) (iii) and (iv) of starred question No. 123.

GRANTS TO BROJO MOHAN COLLEGE, BARISAL.

		Recurring.	*Non-recurring.*		
		Rs.	Rs.	a.	
1911-12	..	9,600	50,000	0	(Lump grant).
			5,000	0	(Grant for Laboratory).
1912-13	..	14,400	....		
1913-14	..	14,400	....		
1914-15	..	14,400	37,000	0	(Imperial grant).
1915-16	..	14,400	....		
1916-17	..	14,400	....		
1917-18	..	14,400	....		
1918-19	..	14,400	13,000	0	(Balance of the capital grant of Rs. 1,00,000).
1919-20	..	14,400	10,000	0	
			5,998	8	
1920-21	..	..	10,000	0	(Laboratory building).
1921-22	..	14,400	....		
1922-23	..	14,400	6,000	0	(Library).
1923-24	..	14,400	7,000	0	(Laboratory and Workshop).
1924-25	..	14,400	6,000	0	(Library and Laboratory).
1925-26	..	14,400	6,000	0	(Library and Laboratory).
			50	0	(Land acquisition).
1926-27	..	14,400	6,000	0	(Library and Laboratory).
1927-28	..	14,400	18,000	0	(2nd storey of new Science block).
			7,000	0	(Equipment).
			6,500	0	(Laboratory and Library).
1928-29	..	14,400	6,500	0	Laboratory and Library).
1929-30	..	14,400	2,585	0	(New Science block).
			7,000	0	(Library and Laboratory).
Total	..	2,54,400	2,09,633	8	
	Add on 27th April, 1922 ..		2,500	0	(Library).
			6,500	0	(Laboratory).
			2,18,633	8	

Names of the members of the College Council referred to in the reply to starred question No. 123, clause (g) (i).

Government nominees—

1. **J. T. Donovan, Esq., C.I.E., I.C.S., District Magistrate,** *President.*
2. **Rai Bipin Bihari Das Gupta Bahadur.**
3. **Maulvi Mafizuddin Ahmed, B.L.**

Nominees of the proprietors—

4. Babu Saral Kumar Dutta, M.A.
5. Babu Gopal Chandra Biswas, B.L.
6. Babu Ajit Lal Rai, M.B.

Representatives of guardians—

7. Babu Sarat Chandra Guha, M.A., B.L.
8. Babu Aswini Kumar Das Gupta, B.L.
9. Khan Bahadur H. U. Ahmed, B.L.

Elected by the staff—

10. Babu Gopal Chandra Bhattacharjya, M.A.

Ex-officio—

11. Babu Satish Chandra Chatterjee, M.A., *Principal and Secretary.*

Mr. P. N. GUHA: Will the Hon'ble Minister be pleased to state whether with regard to (*ii*), (*iii*) and (*g*) the college authorities have been given information about this?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No, Sir, the matter is under correspondence.

Mr. P. N. GUHA: If the information was not supplied to the college authorities or to the public, how could the matter be set right?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: This is a question that is now under discussion and I cannot add anything more to what I have said.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state whether he has addressed any further communication to the college authorities as regards the unsuitability of certain members?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No, Sir.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state in what sense the matter is still under consideration?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Because the application for renewal of grant will come up before us.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state whether he proposes now to communicate to the Governing Body the names of those who are considered unsuitable?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: This is a matter entirely for the College Council.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state whether there are certain grant-in-aid rules applicable to these colleges?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state whether any of the unsuitable persons come under rule 4 (*ii*), namely, persons who have taken part directly or indirectly in any attempt to induce any student to give his studies in any such institution?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have already replied to this question. I do not think there is anything further to be added.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state how this grant has been stopped pending discussion when he has just said that the matter is under consideration?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The grant has not been stopped. According to the rules of grant-in-aid, when the term of the grant has expired the college has got to apply for the renewal of the grant.

Brojo Mohan College, Barisal.

*124. **Mr. P. N. GUHA:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state what is the definition of the word "unsuitable" in its application to a member of a College Council?

(*b*) Have the Government definition on this behalf been ever communicated to the College authorities?

(*c*) Have the Government, after receiving the information about the attitude of certain members of the College Council of the Brojo Mohan College, Barisal, as stated in the letter of the Secretary, communicated the names of such members to the College authorities and stated the nature of the attitude taken exception to?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) A member who has conducted himself in such a manner as to disqualify the College for a grant under the grant-in-aid rules is considered by Government to be "unsuitable."

(*b*) There is no Government definition.

(*c*) Government are not prepared to disclose details of the correspondence with the College Council on this matter which has not yet concluded.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state in what manner should a member conduct himself in order to disqualify a college from the grant-in-aid rules?

Mr. PRESIDENT: I do not allow that question.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state whether any of the members declared as unsuitable in the present case conducted himself in a manner indicated in answer (*i*)?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Government are not satisfied with the conduct of the members of the Governing Body. On that ground the grant was suspended during March.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister be pleased to state what was the particularly objectionable point about the conduct of those teachers?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: That is under correspondence.

Mr. SYAMAPROSAD MOOKERJEE: With reference to the previous answer of the Hon'ble Minister, will he make up his mind and give us one answer? The Hon'ble Minister said that the reason for the suspension of grant was the conduct of the members who have proved unsuitable and just a minute before he said that the matter is receiving his consideration, as no formal application has been received. What is the real fact?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I am sorry the member has not been able to understand what I have stated. The question is that we are concerned with grants for two years—one for last year and the other for the current year. For the current year it requires a new application because the term has expired.

Mr. B. C. CHATTERJEE: Will the Hon'ble Minister be pleased to state whether all the members of the College Council are to be approved by the Magistrate?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No.

Mr. B. C. CHATTERJEE: Will the Hon'ble Minister be pleased to state who is the appointing authority of the members of the Governing Body?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The Director of Public Instruction.

Brojo Mohan College, Barisal.

***125. Mr. P. N. GUHA:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware that a meeting of the College Council of the Brojo Mohan College, Barisal, was held on July 4 last?

(*b*) Is it a fact that the Chairman of the Committee moved a resolution aiming to alter the original Trust deed by an Act of the Bengal Legislative Council?

(*c*) Have the Government received any request on that behalf yet?

(*d*) If the answer to (*c*) is in the affirmative, what steps are they contemplating taking in the matter?

(*e*) How many members of the Council were present at the meeting in which the above named resolution was carried and who were they and what interest were they representing?

(*f*) Who amongst the members present voted for the resolution and who against it?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*), (*b*), (*e*) and (*f*) Government cannot undertake to give information regarding the business of the College Council.

(*c*) and (*d*) No, but the Director of Public Instruction has received a communication from the College Council and the matter is under his consideration.

3-15 p.m.

Mr. P. N. GUHA: The Hon'ble Minister just now said that the grant was stopped on account of the attitude and conduct of the College Council; now he says that Government cannot undertake to give information regarding the business of the College Council. Will the Hon'ble Minister be pleased to state who is the authority to give information regarding the business of the College Council?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The College Council.

Mr. SYAMAPROSAD MOOKERJEE: With reference to question (*b*), does the Hon'ble Minister consider that it is usual for the District Magistrate, who is the President of the Governing Body of a College Council, to move a resolution of this nature from the Chair?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have nothing further to add.

Mr. SYAMAPROSAD MOOKERJEE: Is the Hon'ble Minister aware that the District Magistrate's resolution was carried by one vote only?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It is no concern of ours at all.

Brojo Mohan College, Barisal.

*126. **Mr. P. N. GUHA:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware that the Brojo Mohan College of Barisal is an old institution and its growth and stability were secured by the life-long labours of the late Babu Aswini Kumar Datta of hallowed memory?

(*b*) Is the Hon'ble Minister aware that something like consternation prevails at Barisal and elsewhere at the prospect of seeing the Trust deed of the late Babu Aswini Kumar Datta wrecked?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) Government are aware of the history of the College.

(*b*) No.

Mr. P. N. GUHA: With reference to answer (*b*), will the Hon'ble Minister be pleased to state whether he reads the newspapers of this province?

Mr. PRESIDENT: I do not allow that question.

Brojo Mohan College, Barisal.

*127. **Mr. P. N. GUHA:** Is the Hon'ble Minister in charge of the Education Department considering the desirability of replacing the Magistrate of the District by an officer of the Education Department in the College Council of the Brojo Mohan College, Barisal?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No.

Brojo Mohan College, Barisal.

*123. **Mr. SYAMAPROSAD MOOKERJEE:** (*a*) Will the Hon'ble Minister for Education be pleased to state whether the Brojo Mohan College, Barisal, has been in receipt of a recurring grant from the Government?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) from which year the said grant commenced; and

(*ii*) what has been the amount of such grant?

(*c*) Has the grant been sanctioned for 1931-32?

(*d*) If the answer to (*c*) is in the negative, what are the reasons for the withdrawal of the grant?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) Yes.

(*b*) (*i*) From July, 1911, during the financial year 1911-12.

(*ii*) Rupees 1,200 a month.

(*c*) Not yet.

(*d*) Formal application furnishing the necessary particulars required under the grant-in-aid rules has not yet been received from the authorities of the College.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to assure the House that the grant for 1931-32 will be made as soon as a formal application is received?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I cannot give any such assurance.

Mr. SYAMAPROSAD MOOKERJEE: Is the Hon'ble Minister aware that if no such assurance is given, it would amount to a violation of the terms of the trust deed?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I cannot agree with that view.

Mr. SYAMAPROSAD MOOKERJEE: Is the Hon'ble Minister aware that the recurring grant from Government forms one of the provisions of the trust deed?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Nothing is specified in the trust deed, and Government are at liberty to fix the grant at whatever amount they think fit. In the trust deed, in fact, there is a provision that there may not be any grant at all.

Resignation of Namasudra constables deputed to Chittagong.

*129. **Babu AMULYADHAN RAY:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether it is a fact that twenty-two Namasudra constables belonging to the Jessore force while on deputation to Chittagong tendered their resignation on the 23rd March and their names were struck off at 12 noon of the same day?

(*b*) Is it a fact that a memorandum was sent thereafter in April, 1931, by the President of the Jessore District Namasudra Association to the Inspector-General of Police, Bengal, and to the Deputy Inspector-General of Police, Presidency Range, alleging among other allegations, the following, namely:—

"The deputation Inspector threatened them (Namasudra constables) with jail and dismissal and abused and he also asked them to get their names struck off and the Government will not be a loser thereby .....therefore 22 Namasudra constables being frightened tendered resignation at 7 in the morning on the 23rd March and their names were struck off at 12 noon and they having no money had to come on foot from Chittagong to Jessore"?

(*c*) Have the Government made any inquiry into the allegations made in the memorandum?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state whether the allegations have been found to be true or false?

(*e*) If the answer to (*c*) is in the negative, will the Hon'ble Member be pleased to state the reasons?

(*f*) Is it a fact that the Namasudra constables after their discharge informed the authorities at Chittagong that they had no money?

(*g*) Is it a fact that their pay was not paid then?

(*h*) Is it a fact that they had to come on foot from Chittagong to Jessore?

(*i*) Have the Government ascertained any reason why so many Namasudra constables tendered their resignation at one and the same time?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) Yes.

(*b*) Yes. The Deputy Inspector-General of Police, Presidency Range, forwarded the petition to the Superintendent of Police, Jessore, who reported that some of the constables had been punished for neglect of duty, and that this combined with the high standard of discipline required in Chittagong had led to the resignations.

(*c*) No. Government have received no representation on the subject.

(*d*) and (*e*) Do not arise.

(*f*) The men did not apply to the Superintendent of Police, Chittagong, for any money for their return journey, nor did they report to him or to anybody in the Police lines that they were short of funds.

(*g*) No. They received their pay for February on the 10th March and resigned on the 23rd March. Their pay for March was sent to them at their homes by money order on March 30th after they had returned to Jessore.

(*h*) No.

(*i*) The reason reported to Government is that stated in the reply to part (*b*) of this question.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state the nature of the highest standard of discipline required?

The Hon'ble Mr. W. D. R. PRENTICE: The discipline required of the armed police.

Distress in the district of Tippera.

***130. Babu KHETTER MOHAN RAY:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) whether it is a fact that a very large number of people in the district of Tippera are affected by acute distress due to abnormal economic depression; and

(*ii*) whether the Government have received any reports on the subject from the District Magistrate of Tippera and the Commissioner of the Chittagong Division?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) the number of people affected by the distress;

(*ii*) the number of the unemployed, both agricultural and non-agricultural labourers; and

(*iii*) number of families affected thereby?

(*c*) Will the Hon'ble Member be pleased to state whether the Government have taken any step to alleviate the sufferings of the people affected?

(*d*) If so, have the Government sanctioned any amounts for agricultural loan and for gratuitous relief?

(*e*) If the answer to clause (*d*) is in the affirmative, will the Hon'ble Member be pleased to state whether the amounts sanctioned have been found sufficient to relieve the distress.

(*f*) If not, are the Government contemplating sanctioning further sums for the relief of the distress?

(*g*) Will the Hon'ble Member be pleased to lay a comparative statement on the table showing the sums which the Government have hitherto sanctioned and expended for relief of distress in the district of Tippera and other districts in Bengal?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) (*i*) and (*ii*) Yes.

(*b*) It is not possible to ascertain these figures

(*c*) Yes.

(*d*) Yes. (A statement No. I is laid on the table.)

(*e*) A further sum of Rs. 50,000 was allotted for agricultural loans in June last on the recommendation of the Commissioner who had just visited the district, and the Collector has sufficient funds for the present. The amount allotted for gratuitous relief has hitherto been sufficient.

(*f*) Further sums will be allotted when necessary.

(*g*) A statement No. II is laid on the table showing what amounts were allotted in 1930 and in 1931 for agricultural and land improvement loans, for test-relief works and for gratuitous relief. Figures for actual expenditure are not readily available.

Statement I referred to in the reply to clause (d) of starred question No. 130.

Year.		Sanctioned grant.	Distribution.
AGRICULTURAL LOAN.			
		Rs.	Rs.
1930-31	..	1,70,700	1,70,696
1931-32	..	1,30,000	80,000 (up to 14th July, 1931).
GRATUITOUS RELIEF.			
1930-31	..	3,000	2,000
1931-32	..	5,000	3,000 (up to 14th July, 1931).

Statement II referred to in the reply to clause (g) of starred question No. 130.

FOR AGRICULTURAL AND LAND IMPROVEMENT LOANS.

District.	Allotments for 1930-31.		Allotments for 1931-32.	
	Agricultural Loans.	Land improvement Loans.	Agricultural Loans.	Land improvement Loans.
	Rs.	Rs.	Rs.	Rs.
Burdwan	..	600	..	..
Bankura	500	300	1,500	1,000
Midnapore	2,500	1,100	..	..
Nadia	7,000	500	80,000	5,000
Jessore	15,000	5,000	45,000	
Khulna	2,500	1,500	..	..
Murshidabad	30,000	..	26,000	..
Dacca	87,000	..	53,000	..
Faridpur	..	1,000	33,000	..
Mymensingh	79,000	..	50,000	..
Bakarganj	49,767	..	10,000	..
Tippera	1,70,700	..	1,30,000	
Noakhali	..	..	35,000	..
Rajshahi	80,000	..	47,000	..
Rangpur	64,465	..	1,45,000	..
Dinajpur	5,000	2,000	25,000	..
Pabna	1,72,000	..	1,00,000	..
Bogra	80,000	..	50,000	..
Malda	29,500	..	50,000	..
Jalpaiguri	4,000	..	4,000	..
Birbhum	..	..	3,000	..
Total ..	8,78,932	12,000	8,87,500	6,000

FOR ADVANCES TO DISTRICT BOARDS FOR TEST-RELIEF WORKS.

District.	Allotments for 1930-31.	Allotments for 1931-32.
	Rs.	Rs.
Murshidabad	5,400	2,240
Rangpur	10,000	7,000
Pabna	15,000	15,000
Bogra	Nil	10,500
Tippera	5,000	5,000
	35,400	39,740

ALLOTMENTS MADE FOR GRATUITOUS RELIEF.

	1930-31	1931-32.
	Rs.	Rs.
Tippera	3,000	5,000
Pabna	....	25,000
Rangpur	1,000	10,000
Nadia	....	1,000
Murshidabad	....	2,100
	4,000	43,100

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether it is not laid down in the Famine Code that such figures ought to be ascertained?

The Hon'ble Sir PROVASH CHUNDER MITTER: All I need say is that on the question as it stands, the provisions of the Famine Code after declaration of famine do not apply.

Admission of a child named Halla in the Medical College Hospital.

***131. Mr. P. BANERJI:** (*a*) With reference to the answer to clause (*d*) of the unstarred question No. 84 asked by Dr. Amulya Ratan Ghose at the meeting held on the 16th March, 1931, will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a copy of the history sheet of the case and copy of the note of the transfer of the case from the Emergency room to the Children's ward?

(*b*) With reference to the answer to clause (*f*) of the same question, will the Hon'ble Minister be pleased to consider the desirability of making arrangements for the future supply of the charts of the cases when applied for by the guardians of the patients?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) Government are not prepared to place these hospital records on the table.

(*b*) These are hospital papers of a confidential and technical character, and Government do not consider it desirable that they should be made public.

Manager, Bhowal estate.

*132. **Babu SATYENDRA KUMAR DAS:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) the reasons for the delay in appointing a permanent Manager of the Bhowal Court of Wards estate in place of Mr. Bignold; and

(*ii*) whether any selection has been made to fill up the vacancy?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Member be pleased to mention the name of the candidate selected for the post?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) (*i*) Because the applicant whom it was proposed to appoint was not available earlier.

(*ii*) Yes.

(*b*) Sir Douglas Stewart.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Member be pleased to state what qualifications Sir Douglas Stewart has for this post?

The Hon'ble Sir PROVASH CHUNDER MITTER: He was the only man available who satisfied the requirements of the ward estate. He is a man in whom Government have confidence. In any case, we do not want to condemn him in advance.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Were any applications called for for this post?

The Hon'ble Sir PROVASH CHUNDER MITTER: As far as I remember, Sir Douglas Stewart was a zamindari manager.

Khan Bahadur MUHAMMAD ABDUL MOMIN: That is no answer to my question. I asked whether this vacancy was notified and applications called for.

The Hon'ble Sir PROVASH CHUNDER MITTER: Not that I am aware of but this was done when I was away and I cannot be quite definite.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether any qualified Indian candidate was not available?

The Hon'ble Sir PROVASH CHUNDER MITTER: The question of the appointment of an Indian candidate did not arise in this case as two of the ladies wanted a European.

Assessment at revisional survey of khas mahals in Chittagong.

*133. **Haji BADI AHMED CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) what were the revenues of Cox's Bazar, Kutubdia, Satkania and Patiya khas mahals in the district of Chittagong in the year 1924;

(*ii*) what are the increases in revenues in each of these khas mahals in consequence of the revisional survey; and

(*iii*) what were the numbers of the Noabad taluks and jotes in each of these khas mahals—

(*1*) before the revisional survey; and

(*2*) after the revisional survey?

(*b*) Is the Hon'ble Member aware of a feeling of discontent over the exorbitant rate of assessment at the revisional survey in Chittagong?

(*c*) Is the Hon'ble Member also aware that the Zamindars' Association of Chittagong resolved unanimously at a meeting that the assessment of the Noabad mahals in Chittagong had been very exorbitant, and sent a representation to the Government praying for reconsideration of the assessment?

(*d*) If the answer to clause (*c*) is in the affirmative, will the Hon'ble Member be pleased to state what action, if any, is being taken on the said representation?

(*e*) Will the Hon'ble Member be pleased to state how many Noabad taluks defaulted in payment of kist and how many of them had to be purchased by Government in the revenue sale for want of bidders in 1928-1931?

(*f*) Have the Government been able to resettle these taluks?

(*g*) Is it not a fact that the last revisional survey was made at a time when the price of paddy was much higher than that prevailing now?

(*h*) If so, are the Government considering the desirability of revising the rate of assessment in accordance with the present-day conditions?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) A statement is laid on the table.

(*b*) No.

(*c*) Copies of resolutions were forwarded, but no representation was submitted to Government.

(*d*) Does not arise.

(*e*)

		Defaulted.	Purchased for Government.
Cox's Bazar	...	485	1
Kutubdia	...	266	...
Satkania	...	6,306	27
Patiya	...	6,267	41

(*f*) Cox's Bazar—Resettlement case pending.

Satkania—Yes.

Patiya—Out of 41 taluks purchased by Government 30 have been resettled, 7 abated and 4 resettlement cases are still pending.

(*g*) Yes.

(*h*) No.

Statement referred to in the reply to clause (a) of starred question No. 133.

	Rent. Rs.
(*a*) (*i*)	
Cox's Bazar	3,82,377
Kutubdia	42,637
Satkania	1,20,946
Patiya	99,229

(*ii*)

Increase.	Rs.
Cox's Bazar	78,600
Kutubdia	9,009
Satkania	51,527
Patiya	Not yet available.

(*iii*) (*1*)

	Taluks.	Izaras.	Jotes. Rs.
Cox's Bazar	520	36	19,253
Kutubdia	192	..	2,797
Satkania	7,309	..	10,137
Patiya	..	..	27,336

(2)

Cox's Bazar	1,219	36	24,435
Kutubdia	896	..	3,394
Satkania	7,063	..	14,601
Patiya	..	..	Not yet available.

Agricultural loans in Mymensingh.

*134. **Maulvi ABDUL HAKIM:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) the total amount of money spent by Government up to the present time as agricultural loans on other kinds of relief in the distressed areas of the Mymensingh district in the current financial year;

(*ii*) whether it has been ascertained if the amount so spent is sufficient to relieve the distress of the affected persons in the said area?

(*b*) If the amount has been found insufficient, are the Government prepared to grant more money during the current year for the relief of the distressed people in the Mymensingh district?

(*c*) In what way was the agricultural loan or such other relief money distributed?

(*d*) Was the same distributed to each grown up member of the family or to the guardian of the family?

(*e*) If it was distributed to the guardian of the family, at what rate or rates did each guardian of the family get the same?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) (*i*) Rupees 50,000 has been allotted by Government for distribution as agricultural loans.

(*ii*) Yes. A sum of Rs. 20,000 was allotted in July, 1931.

(*b*) Does not arise.

(*c*) According to the rules in the Bengal Loans Manual and in the Bengal Famine Code.

(*d*) To the head of the family.

(*e*) The distribution was made in accordance with the size of the family.

Reports of economic distress.

*135. **Maulvi ABDUL HAKIM:** Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether there is any Government officer appointed to inquire into any reports of extreme economic distress or of death or suicide committed on account of starvation, published in important newspapers?

The Hon'ble Sir PROVASH CHUNDER MITTER: No. District Officers report to Government if serious economic distress exists or is apprehended in any particular area. Newspaper reports giving definite information about cases of death or suicide alleged to be due to starvation are sent to District Officers for inquiry.

Maulvi ABDUL HAKIM: Will the Hon'ble Member be pleased to state which Government officer sends the newspaper reports to the District Officers in cases of death or suicide due to starvation?

The Hon'ble Sir PROVASH CHUNDER MITTER: If the member means newspaper reports with regard to deaths, in the first place I say that there was no death at all due to starvation. In case there are any such deaths, it is the duty of the District Officer himself to bring them to the notice of Government. And if the newspaper reports are published in Calcutta, very often the Secretariat sends them to the officers concerned. I submit that it is not possible to give a specific reply to this question.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether any report of death was sent to the District Magistrate of Mymensingh?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes.

Babu SATISH CHANDRA RAY CHOWDHURY: Was that report corroborated by the District Magistrate?

The Hon'ble Sir PROVASH CHUNDER MITTER: In one case part of a newspaper report was corroborated by the District Magistrate. The nature of the report was that a poor man had to receive a certain sum of money from his neighbour who was not badly off, and when this sum was demanded the neighbour did not pay and in disgust the poor man committed suicide.

Proceedings under the Bengal Alluvial Lands Act in Dacca district.

***138. Mr. MUKUNDA BEHARY MULLICK:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(i) the number of proceedings in a tabular form taken by the Collector, under the Bengal Alluvial Lands Act, 1920 (V of 1920), in the district of Dacca each year from 1924 to 1930;

(*ii*) in how many of those cases, reference has been made to the District Judge by the Collector under section 5 of the said Act; and

(*iii*) whether there is any case in the Munshiganj subdivision in the district of Dacca in which possession obtained of newly formed *char* lands under a Civil Court decree is being superseded by proceedings under the said Act?

(*b*) If the answer to clause (*a*) (*iii*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons therefor?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) (*i*) A statement giving the figures is laid on the table.

(*ii*) Four.

(*iii*) No.

(*b*) Does not arise.

Tabular statement referred to in the reply to clause (a) (i) of starred question No. 136, showing the number of proceedings taken in the district of Dacca under Bengal Alluvial Lands Act from 1924-1930.

1924—2.
1925—4.
1926—10.
1927—1.
1928—4.
1929—30.
1930—17.
Total—68.

Remarks—Attachment order since withdrawn in 17 cases.

Mr. MUKUNDA BEHARY MULLICK: With reference to answer (*ii*), will the Hon'ble Member be pleased to state why only four cases have been referred by the Collector to the District Judge?

The Hon'ble Sir PROVASH CHUNDER MITTER: I want notice.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state how long it takes for the Collector to refer such cases to the District Judge?

The Hon'ble Sir PROVASH CHUNDER MITTER: I cannot give a general reply to a question like this.

Mr. MUKUNDA BEHARY MULLICK: Is it a fact that great hardship is caused to proprietors in these cases?

The Hon'ble Sir PROVASH CHUNDER MITTER: Unless the member can give particulars, it is very difficult to give an answer.

Lack of roads in eastern portion of Arambagh subdivision.

***137. MUNINDRA DEB RAI MAHASAI:** (*a*) Has the attention of the Hon'ble Minister in charge of the Public Works Department been drawn to the resolution passed at the second annual general meeting of the Bengal Rural Development Association relating to the want of any roads in the eastern portion of the Arambagh subdivision excepting the old Benares Road which is in a deplorable condition?

(*b*) Is the Hon'ble Minister considering the desirability, in conjunction with the Hooghly district board, of providing for at least three unbridged roads, each three miles in length—

(*i*) Shapur Road near Tarakeswar to Kultegri (a village east of the river Damodar);

(*ii*) from the village Dihiballipore on the western side of river Damodar to the eastern bank of the Begna breach called Bausia Ghat; and

(*iii*) from village Banamalipur or Noloypur on the western side of the Begna breach to the Batanal Road?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) and (*b*) This question concerns the Local Self-Government Department whose attention has only recently been drawn to the proposal. It will be examined in consultation with local officers.

MUNINDRA DEB RAI MAHASAI: Will the Hon'ble Minister be pleased to give an idea of the time which will be necessary to examine the matter?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I am sorry I cannot give any idea of the time.

Village Boards.

*138. **MUNINDRA DEB RAI MAHASAI:** Has the attention of the Hon'ble Minister in charge of the Local Self-Government Department been drawn to the resolution passed at the second annual general meeting of the Bengal Rural Development Association asking for the formation of village boards with representatives of every section of the communities to be consulted by the union boards in every work of local improvement and village self-government?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The attention of Government in the Local Self-Government Department had not previously been drawn to this resolution, of which a copy will be obtained.

Makaradhajpur bridge in Bongaon.

*139. **Babu AMULYADHAN RAY:** (*a*) Will the Hon'ble Minister in charge of Local Self-Government Department be pleased to state whether it is a fact that the *pucca* bridge of Makaradhajpur on the Kudia River under the district board of Jessore within the Bongaon police-station broke down in the year 1329 B.S. and the said bridge has still remained unconstructed?

(*b*) Is it a fact that the people of the locality submitted a petition to the Government of Bengal and that the present Chairman of the Bongaon local board sent a strong note to the district board of Jessore in favour of the immediate construction of the said bridge?

(*c*) Is it a fact no arrangement of ferry service has been made?

(*d*) Are the Government aware that the breakdown of the bridge has completely stopped the traffic and passage of hundreds of villagers of the Bongaon subdivision and that carters are to come and go by a roundabout way of 10 miles or so?

(*e*) Is it a fact that 1,285 signatories of 85 villages submitted a petition on the 14th of May to the Commissioner, Presidency Division, for the immediate reconstruction of the said bridge?

(*f*) If the answer to (*e*) is in the affirmative, what action has been taken as yet?

(*g*) Are the Government considering the desirability of reconstructing the said bridge immediately?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) to (*g*) It has not proved possible to ascertain the facts in time for a detailed reply to be given during this session, but the Commissioner will be asked to report and the information obtained will be communicated to the member.

Seizure of firearms.

***140. Maulvi SYED JALALUDDIN HASHEMY:** (*a*) Is the Hon'ble Member in charge of the Police Department aware that the license for keeping and using a revolver by Babu Sarat Chandra Chatterjee, the great novelist and writer of Bengal, has been forfeited and the revolver has been seized?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what is the cause of cancelling the license and forfeiting this revolver?

(*c*) Is it a fact that Babu Sarat Chandra Chatterjee has submitted a petition to Government requesting them to renew the license and return the revolver on the ground that his life and property are in danger?

(*d*) Is it also a fact that the license for keeping and using a gun by Mr. Kiran Sankar Roy, zamindar of Teota and an ex-member of this Council, has been cancelled and the gun possessed by him has been forfeited?

(*e*) If the answer to clause (*d*) is in the affirmative, will the Hon'ble Member be pleased to state the reason for the same?

(*f*) Will the Hon'ble Member be pleased to lay on the table a statement showing separately for each district the number of guns seized during the last civil disobedience movement from different persons in the different districts of Bengal?

(*g*) Are the Government considering the desirability of returning—

(*i*) the revolver of Babu Sarat Chandra Chatterjee and the gun of Mr. K. S. Roy;

(*ii*) all the guns to their previous holders on the ground of their necessity for safety of lives and properties?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) and (*d*) Government have no information on this subject.

(*b*) and (*e*) Do not arise.

(*c*) No such petition has reached Government.

(*f*) A statement of the firearms seized is laid on the table.

(*g*) (*i*) and (*ii*) No. Licenses are issued by the local officers, *viz.*, District Magistrates and Commissioner of Police.

Statement referred to in the reply to clause (f) of starred question No. 140, showing the number of firearms seized during the civil disobedience movement in different districts in Bengal.

Divisions and districts.		Number of firearms seized.
Burdwan Division.		
Burdwan	...	413
Birbhum	...	58
Bankura	...	60
Midnapore	...	246
Hooghly	...	8
Howrah	...	30
Presidency Division.		
24-Parganas	...	82
Nadia	...	196
Murshidabad	...	11
Jessore	...	146
Khulna	...	45
Calcutta	...	14
Dacca Division.		
Dacca	...	49
Mymensingh	...	175
Faridpur	...	58
Bakarganj	...	47
Chittagong Division.		
Chittagong	...	Nil.
Tippera	...	56
Noakhali	...	12
Chittagong Hill Tracts	...	Nil.

RAJSHAHI DIVISION.

Divisions and districts.		Number of fire-arms seized.
Rajshahi	...	9
Dinajpur	...	16
Jalpaiguri	...	Nil.
Rangpur	...	36
Bogra	...	34
Pabna	...	4
Malda	...	71
Darjeeling	...	Nil.
Total	...	1,876

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state whether he obtained any information after he received notice of this question? If not, why not?

The Hon'ble Mr. W. D. R. PRENTICE: I have given the answer on the basis of the information in possession of Government up to date.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state whether the revolvers of Babu Sarat Chandra Chatterjee and Mr. Kiran Sankar Ray are included in the list furnished by him?

The Hon'ble Mr. W. D. R. PRENTICE: They are included in the list, I presume.

3-30 p.m.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state whether he made an inquiry from the local officers on the subject?

The Hon'ble Mr. W. D. R. PRENTICE: No.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state with regard to (*f*) if there has been a large increase in thefts and dacoities in Bengal after the seizure of guns and revolvers?

The Hon'ble Mr. W. D. R. PRENTICE: Not so far I know.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state, out of the number of firearms numbering 1,876 as given in the list how many are guns and how many are revolvers?

The Hon'ble Mr. W. D. R. PRENTICE: I want notice.

Mr. SYAMAPRDSAD MOOKERJEE: Will the Hon'ble Member be pleased to state in what way can members of this House obtain information under (*a*) and (*b*) if not through the Hon'ble Member in charge of the Police Department?

The Hon'ble Mr. W. D. R. PRENTICE: I am afraid I have no information.

Mr. SYAMAPROSAD MOOKERJEE: With regard to answer (*d*) will the Hon'ble Member be pleased to state whether Government have no action to take when the Hon'ble Member's answer is in the negative?

The Hon'ble Mr. W. D. R. PRENTICE: Responsibility rests with the local officers. People who have any objection can go to the local officers.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state, in view of the fact that the number of dacoities in Bengal are multiplying daily, whether he will consider the desirability of returning the seized guns and revolvers to their respective holders?

The Hon'ble Mr. W. D. R. PRENTICE: Again I say it is a matter for the local officers.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether if an injustice is done by the local officers and is brought to the notice of the Hon'ble Member he will be pleased to give it his consideration?

The Hon'ble Mr. W. D. R. PRENTICE: Government do not desire to interfere with the discretion of local officers. Such matters are, under the rules, placed at their discretion. If they commit an injustice an appeal lies to the Commissioner of the Division, who provides a sufficient safeguard.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether the wholesale seizure of firearms in the districts of Bengal was done without any instructions from Government?

The Hon'ble Mr. W. D. R. PRENTICE: We issued no instructions.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to inquire what effect this extensive seizure of guns has upon the province?

The Hon'ble Mr. W. D. R. PRENTICE: I shall have an inquiry made.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to tell us if he does not consider it necessary that the seized guns should be sold and their proceeds distributed to the owners?

The Hon'ble Mr. W. D. R. PRENTICE: This will be governed by the rules under the Indian Arms Act.

Students of the backward and depressed classes of Medical Schools and Colleges enjoying scholarships.

*141. **Mr. SARAT CHANDRA BAL:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) the names of Government Medical Schools and Colleges in Bengal at present;

(*ii*) the number of seats specially reserved in each of the institutions for the Muhammadan, backward class and depressed class students;

(*iii*) the number of scholarships for the Muhammadan, Hindu, backward and depressed class students in these institutions respectively;

(*iv*) the names and castes of students who have enjoyed these scholarships during the last five years; and

(*v*) the names of students of the backward and depressed classes who are enjoying these scholarships during the year 1931?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*i*) to (*v*) It has proved impossible in the time available to complete the detailed information about several institutions called for in this question. I would however invite the member's perusal of the reports of the Medical College, of Government Medical Schools and of the rules for the management of Medical Schools which will be found on the Library table. Particulars bearing on paragraphs (*ii*), (*iv*) and (*v*) of his question are still being collected, and I would suggest that the question might be renewed next session.

Protection of wild birds and animals.

***142. Mr. PROSANNA DEB RAIKAT:** (*a*) Will the Hon'ble Member in charge of the Revenue (Forests) Department be pleased to state whether the Wild Birds and Animals Protection Act, 1912 (VIII of 1912), is in operation in Bengal?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the particular instances in which the sections of the said Act were requisitioned and brought into play?

(*c*) Is the Hon'ble Member aware that in Bengal, specially in Northern Bengal, game is going to be extinct on account of reckless shooting by persons travelling in motor cars in the forest?

(*d*) If so, what steps, if any, are being taken to prevent the recurrence of such acts?

(*e*) Will the Hon'ble Member be pleased to make a statement as to the steps already taken by them for the protection of game in Bengal?

(*f*) Will the Hon'ble Member be pleased to state whether there is sufficient provision of law to cover the cases mentioned in clause (*c*)?

(*g*) Will the Hon'ble Member be pleased to state as to whether this matter received his attention in the past?

(*h*) Will the Hon'ble Member be pleased to state whether he is considering the desirability of doing anything in this direction in future?

(*i*) Is the Hon'ble Member aware that the people, especially the shikaries and cultivators, view with alarm the depredations of game?

(*j*) If so, have the Government considered this matter and taken steps to prevent such depredations?

(*k*) If no steps have yet been taken, do the Government propose to move in this matter in the near future?

MEMBER in charge of REVENUE (FORESTS) DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Ghuznavi): (*a*) Yes.

(*b*) Notifications have been issued under sections 2 and 3 prescribing close seasons for certain wild birds and animals throughout the year or for part of the year. Since 1915-16, 92 cases of offences under this Act committed in Government Forests have been reported. Figures for areas outside the forests are not available.

(*c*) Government are aware that shooting from motor cars is practised.

(*d*) Government have decided, after consultation with the Conservator of Forests, Northern Circle, to make a rule under the Indian Forests Act prohibiting the shooting of game, other than carnivorous animals, in forests by the aid of artificial light and from machans at night.

(*e*) (*i*) Hunting, Shooting and Fishing Rules have been issued under the Indian Forests Act and are modified from time to time. The rules are administered by the Forest Department;

(*ii*) Recommendations for amending the Wild Birds and Animals Protection Act have been made to the Government of India;

(*iii*) The question of making further amendments is under consideration;

(*iv*) A bill for protecting rhinoceros has been drafted.

(*f*) No, in so far as there is no law to control the methods used for destruction of game in areas not under the Indian Forests Act.

(*g*) and (*h*) Yes.

(*i*) No.

(*j*) Does not arise.

(*k*) See answers to (*d*) and (*e*).

Nominated members to the union boards in the Sadar subdivision, Bankura.

***143. Babu SATYA KINKAR SAHANA:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether amongst the nominated members to the union boards in the Sadar subdivision of the Bankura district there are any persons who were in the previous boards but were unsuccessful candidates at the last elections?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what is their percentage in the nominated members; and

(*ii*) the reasons for nominating these persons?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (a) Yes.

(b) (i) ·052.

(ii) Their experience and good services as Presidents of union boards during previous terms of office.

Babu SATYA KINKAR SAHANA: Will the Hon'ble Minister be pleased to state whether we are to understand that it is the desire of the Local Self-Government Department and the interest of Government

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Mr. PRESIDENT: That is no question.

Recruitment of Auditors of Co-operative Societies from the backward class.

*144. Mr. SARAT CHANDRA BAL: (a) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state the names and castes of persons recruited as auditors for the supervision of co-operative societies during the last 10 years?

(b) Are the Government considering the desirability of keeping a separate list of officers belonging to the backward class and also reserving some posts for this class?

MINISTER in charge of AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Khan Bahadur K. C. M. Faroqui): (a) A list is laid on the Library table.

(b) No. But in making appointments the necessity for encouraging candidates from backward classes is recognised and a reasonable number of appointments is given to such candidates provided they possess the prescribed qualifications.

Jute production.

*145. Babu KISHORI MOHAN CHAUDHURI: Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(i) what is the average demand of jute in Bengal;

(*ii*) what quantity of jute was in stock in Bengal at the close of the last financial year;

(*iii*) what quantity of jute is likely to be produced in Bengal this year;

(*iv*) what is the yield of jute per acre in the average and what is the cost of production for the same;

(*v*) what steps are proposed to be taken for restricting jute production and replacing it by sugarcane, potatoes and other cultivation;

(*vi*) what steps the Government are considering for starting a few experimental co-operative societies for jute under Government supervision?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: (*i*) It is not possible to furnish an estimate of the average demand of jute in Bengal; it fluctuates with the conditions and volume of the world's trade, which vary in cycles.

(*ii*) About 30 lakhs of bales.

(*iii*) Information is not yet available; the area under jute this year is estimated to be less than that of last year by about 46 per cent.

(*iv*) From 3·0—3·3 bales per acre, and from Rs. 3 to Rs. 5 per maund.

(*v*) Leaflets have been distributed among cultivators strongly urging them not to sow with jute more than 50 per cent. of the area sown with that crop in the past season and suggesting crops that can be substituted for it. Copies of leaflets are placed on the Library table.

(*vi*) None.

Vending of Excise shops.

***146. Maulvi ABDUL GHANI CHOWDHURY:** Will the Hon'ble Minister in charge of the Agriculture and Industries (Excise) Department be pleased to lay on the table a statement showing, district by

district, including Calcutta proper, the number of shops vended to Hindus and Muhammadans for the sale of the following excisable articles in this Presidency during the last ten years:—

(1) *Ganja*,

(2) Opium,

(3) Country liquor,

(4) Foreign liquor,

(5) *Bhang*,

(6) *Charas*,

(7) *Tari*,

(8) *Pachwai*?

MINISTER in charge of AGRICULTURE and INDUSTRIES (EXCISE) DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): A statement is laid on the Library table.

Badarkhali colonization project.

***147. Rai Bahadur KAMINI KUMAR DAS:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*i*) what amount has been spent up to date over the Badarkhali colonization project;

(*ii*) how the account is being audited and by whom?

(*b*) Is the Hon'ble Minister aware that in the first year of the operation the whole work was left to the charge of the Inspector and during the second year on the suggestion of the public it was done on contract system and there was vast difference in expenditure taking the amount of work into consideration?

(*c*) Will the Hon'ble Minister be pleased to lay on the table a statement showing the detailed account of expenditure with the amount of work done during these two periods?

(*d*) Is the Hon'ble Minister considering the desirability of holding a personal inquiry with the Registrar into the matter of the Badarkhali colonization at his earliest convenience?

(*e*) Is the Hon'ble Minister aware that there are complaints against the working of the Inspector Maulvi Abdul Jabbar and his officers at Badarkhali?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: (*a*) (*i*) Rupees 59,443-8-6 up to 30th June, 1931.

(*ii*) The accounts of the society from December, 1929, up to 30th September, 1930, were audited by the Inspector of Co-operative Societies detailed in connection with the scheme and were superaudited by the Divisional Auditor of Co-operative Societies. The audit of the accounts for the period from 1st October, 1930, to 30th June, 1931, is being done by the Divisional Auditor.

(*b*) In the first year no contractors were available and the work was done by the Zilla Krishak Society which has taken up and is financing the scheme, the Secretary of the Society along with the Inspector of Co-operative Societies supervising the execution. In the second year the work was done under the contract system and the expenditure was proportionately less, owing to the fact that labour was more readily available and charges were less in consequence of the present economic depression and the advantageous situation of the block where operations were carried on and which is on a higher level.

(*c*) A statement giving the details so far as available is laid on the table.

(*d*) No.

(*e*) A complaint regarding the delay in the payment of the final bill of a contractor was received and was, on investigation by the Assistant Registrar of Co-operative Societies, found to be groundless.

Statement referred to in reply to clause (c) of the starred question No. 147.

STATEMENT OF WORKS DONE AND EXPENDITURE INCURRED.

1st year—Block No. I was completed with the following works:—

(1) Embankment—construction—2¾ miles in length.

(2) Construction of Godhas (dams) across big khals and streams including repairs to two which got breached—3 in number.

(3) Ditto similar khal—8 in number.

(4) Bara cutting (jungle clearance) for alignment for embankments—3 miles in length.

(5) Reclamation for erection of temporary office, coolie sheds and staff quarters—3 drones.

(6) Construction of temporary office, staff quarters, coolie sheds, etc.—1 item.

(7) Turfing of the whole embankment on both sides—5½ miles.

(8) Excavation of tanks for sweet water—4 in number.

(9) Sinking of tube-well—1 in number.

Total expenditure incurred—Rs. 26,825-13-9.

2nd year—

(1) Block No. I society was registered and two inner paths about one mile in length where constructed.

(2) Reclamation of the whole area within Block No. I was done by members and arrangement for broadcast cultivation was made. Expenditure incurred—Rs. 406-6-3.

(3) Block No. II was completed with the following works:—

(1) Embankment construction—4¾ miles in length.

(2) Godhas constructed across streamlet—2 big and 1 small.

(3) Bara cutting for alignment for embankment—5 miles in length.

Expenditure incurred—Rs. 31,768-6-6.

(4) Preliminary arrangements were taken in hand for early commencement of the work in Block No. III next cold weather and the following works were done:—

(1) Excavation of tank for storage of rainwater for drinking purposes—1.

(2) Bara cutting for alignment for embankment—Over 1 mile.

Expenditure incurred—Rs. 442-14.

		Rs.	A.	P.
Total expenditure of 2nd year	..	32,617	10	9
Add expenditure of 1st year	..	26,825	13	9
		59,443	8	6
Add Bills still outstanding payment Block No. II	.. ..	700	0	0
Total	..	60,143	8	6

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state whether it is not a fact that this complaint was due to the fact that the complainant was a nephew of a member of Council?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Yes.

Bengal (Rural) Primary Education Act.

*148. **Mr. KHWAJA SALAUDDIN:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state what steps, if any, the Government are taking to give effect to the provisions of the Bengal (Rural) Primary Education Act, 1930 (Ben. Act VII of 1930)?

(*b*) If no steps have yet been taken, will the Hon'ble Minister be pleased to state what are the reasons for the delay?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) Government have appointed a special officer to prepare materials on which to base an early decision regarding the manner in which they can give effect to the Act.

(*b*) No further steps are considered possible immediately in view of the economic situation.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state if any special officer has been appointed to prepare materials for an early decision regarding the manner in which they can give effect to the Act?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Mr. J. M. Sen is in charge of the work and Maulvi Aftabuddin Ahmad is working under him.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state whether it is not a fact that Mr. J. M. Sen, who is an Additional Assistant Director of Public Instruction, has very little time to devote to this work?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: That is why Maulvi Aftabuddin Ahmad has been doing the preliminary work and Mr. J. M. Sen is placed in supervision of the work.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state if a special officer should not be appointed to look after this work alone?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: As soon as we start work a special officer will be appointed.

Bengal (Rural) Primary Education Act.

*149. **Maulvi TAMIZUDDIN KHAN:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) when the Government intend to enforce the provisions of the Rural Primary Education Act;

(*ii*) whether the intention of the Government is to postpone the enforcement of the Act for an indefinite period till the economic condition of the country improves; and

(*iii*) whether, in the event of the economic situation not improving soon, the Government have any alternative scheme to make primary education free and compulsory in this province?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*), (*ii*) and (*iii*) The member is referred to the answer given to a starred question on this subject asked by Mr. Khwaja Salauddin at this meeting.

Bengal (Rural) Primary Education Act.

*150. **Mr. S. M. BOSE:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a full statement showing the steps that have been, and are being, taken to carry out the provisions of the Bengal (Rural) Primary Education Act, 1930, for the imparting of free and compulsory education?

(*b*) Will the Hon'ble Minister be pleased to state if any, and if so, how many, schools for the imparting of such education under the said Act have been opened, and where?

(*c*) Will the Hon'ble Minister be pleased to state what additional arrangements, if any, for free primary education among girls have been made?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) Certain information has been collected and a special officer has been appointed to complete materials on which Government will shortly decide on their policy in regard to the Act. In view of the present financial and economic situation Government have not taken any further action.

(*b*) No part of the Act has yet been brought into force.

(*c*) None.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to say if, in view of the answer that Government will shortly decide on the policy in regard to the Act, it is contemplated whether the Act will be brought into force or not?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Not that, but only the period when it will be brought into force.

Jute.

***151. Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether the Government have any information—

(*i*) as to the probable outturn of jute in the current year in Bengal, Bihar and Orissa respectively as compared with the actual outturns of the last year;

(*ii*) as to the probable world demand including the Indian mills for jute in the current year; and

(*iii*) as to the probable market price in terms of maunds or bales likely to be fetched by jute in the current year?

(*b*) If the answer to either of (*a*), (*i*), (*ii*) and (*iii*) is in the negative, will the Hon'ble Minister be pleased to state whether any steps were taken to ascertain these facts in view of the great urgency of the matter as affecting the agriculturists of Bengal?

(*c*) Have the Government taken any steps or devised any plan or measure to secure economic prices or better prices for Bengal jute this year? If so, what?

(*d*) Did the Government carry on any propaganda regarding the sowing of jute?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what was the nature of instructions issued regarding the quantity of sowing?

(*ii*) whether those instructions have been exceeded and how far in each jute growing district?

(*f*) Do the Government propose to stop issuing forecasts of jute as a measure to help the rise of prices?

(*g*) Has the attention of the Hon'ble Minister been drawn to a scheme of helping the production, distribution and marketing of jute by co-operation amongst cultivators, landlords, and village financiers organised under the style and name of "Co-operative Village Community Ld." drawn up by Rai Bahadur Sasadhar Ghose, Chairman, Central Co-operative Banks, Mymensingh, and discussed and approved in a public meeting composed of representatives of Central Banks, landholders, financiers and others taking active interest in jute?

(*h*) Has the said scheme been submitted to the Registrar, Co-operative Societies, Bengal, for sanction?

(*i*) If so, do the Government propose to give early sanction to this scheme so as to make it workable during the current season?

(*j*) Did the Government appoint Mr. W. H. Nelson to inquire into the circumstances under which the Co-operative Jute Sale and Supply Societies were placed under liquidation?

(*k*) Has the said Mr. Nelson submitted any report to the Government?

(*l*) If so, will the Hon'ble Minister be pleased to lay a copy of the said report on the table?

The Hon'ble Khan Bahadur K. C. M. FAROQUI: (*a*) (*i*) Not yet. It will be known on publication of the final jute forecast on the 1st September. The total area under jute this year in Bengal and Bihar and Orissa is estimated to be less than that of last year by about 45 per cent.

(*ii*) None.

(*iii*) None, but in view of the much smaller crop, it is hoped that there may be some rise in the price of jute.

(*b*) It is impossible for any one to prophesy what developments in the state of the world's trade are likely to take place in the current year.

(*c*), (*d*) and (*e*) (*i*) Leaflets were widely distributed through local officers and panchayets impressing on the cultivating classes the necessity of restricting sowing of jute to 50 per cent. of the area sown last year and suggesting crops that can be substituted for jute. Copies of the leaflets are placed on the Library table.

(*ii*) The member is referred to the preliminary jute forecast a copy of which is placed on the Library table.

(*f*) No.

(*g*) and (*h*) Yes.

(*i*) The Registrar of Co-operative Societies, Bengal, does not consider it desirable to register such an organisation under the Co-operative Societies Act in view of the difficulties involved in its management and trading operations. Government agree with the Registrar.

(*j*) and (*k*) Yes.

(*l*) The report is under the consideration of Government.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to say in view of the terrible loss by the jute sale societies he will appoint a committee at the earliest possible date and let the public know what was the matter behind this loss sustained by the jute sale societies?

The Hon'ble Khan Bahadur K. C. M. FAROQUI: The matter is for decision by Government.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Minister be pleased to say that when they issued instructions to sow according to instructions they expected much better prices than those of last year?

The Hon'ble Khan Bahadur K. C. M. FAROQUI: The hon'ble member is referred to the leaflet placed on the Library table.

Babu SATISH CHANDRA RAY CHOWDHURY: My question was if Government expected better prices on the restricted area of sowing?

The Hon'ble Khan Bahadur K. C. M. FAROQUI: Yes.

Babu SATISH CHANDRA RAY CHOWDHURY: Has that expectation been realised so far?

The Hon'ble Khan Bahadur K. C. M. FAROQUI: We do not know yet.

3-45 p.m.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to state if Government have taken steps to ascertain whether jute can be used for any other purpose?

The Hon'ble Khan Bahadur K. C. M. FAROQUI: The Industries Department is looking into the matter.

Retrenchment.

*152. **Babu SATYENDRA NATH ROY:** Will the Hon'ble Member in charge of the Finance Department be pleased to state—

(*i*) what steps the Government intends to take for retrenchment of public expenditure in the province; and

(*ii*) whether it is in contemplation to form a Provincial Retrenchment Committiee?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. A. Marr): (*i*) and (*ii*) The member is referred to the answers given in this session to Unstarred Questions Nos. 99(*a*) and 98(*a*) by Rai Bahadur Satish Chandra Mukherji and Rai Bahadur Dr. Haridhan Dutt, respectively.

Maulvi ABUL KASEM: Will the Hon'ble Member be pleased to state whether it is proposed to reduce the salary of highly paid officers by 10 per cent.?

The Hon'ble Mr. A. MARR: The matter is under consideration, but no percentage has been definitely arrived at.

District Judge's quarters at Jessore.

*153. **Maulvi SYED MAJID BAKSH:** (*a*) Will the Hon'ble Minister in charge of the Public Works Department be pleased to state whether the Government is a lessee in respect of the District Judge's quarters at Jessore?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what is the amount of monthly rent payable by the Government on account of the lease?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) what is the amount of monthly rent realised by the Government from the present occupant of the quarters; and

(*ii*) whether the lease is a permanent one?

(*d*) Has the Government any information about the—

(*i*) monthly rents of the most respectable houses in the Jessore town; and

(*ii*) the highest municipal assessment of a private house in Jessore town?

MINISTER in charge of PUBLIC WORKS DEPARTMENT (the Hon'ble Khan Bahadur K. G. M. Faroqui): (*a*) Yes.

(*b*) Rupees 100 per month inclusive of owner's share of municipal taxes.

(*c*) (*i*) Rupees 200 per month.

(*ii*) The lease is for 30 years from 1905.

(*d*) (*i*) None is known except the District Magistrate's residence which is taken on lease at Rs. 1,282 per year exclusive of owner's share of taxes.

(*ii*) It is reported to be Rs. 300 per annum.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state whether Government is not making of a profit of Rs. 100 per month?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: I have nothing further to add.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state whether Government will allow any District Judge to hire a house at his own convenience when the municipal assessment is Rs. 300 per annum?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: I want notice.

Distress in Gaibandha Subdivision.

***154. Babu KISHORI MOHAN CHAUDHURI:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether it is a fact that in police-stations Fulchari and Shaghatta and several villages in thana Gaibandha standing paddy crops were destroyed by an unusual Brahmaputra flood in September last?

(*b*) Is the Hon'ble Member aware that the poorer section of people have been put to great hardship on account of the destruction of paddy crops and want of market for the jute and their inability to get loans from the *mahajans*?

(*c*) If the answers to clauses (*a*) and (*b*) are in the affirmative, will the Hon'ble Member be pleased to state what steps were taken by the Government for advancing loans and mitigating the hardship of the poverty-stricken people?

(*d*) If any loans were advanced by Government will the Hon'ble Member be pleased to state the average amount advanced to each?

(e) Will the Hon'ble Member be pleased to state whether any death by starvation or privation in the locality was reported?

(f) What relief works either by Government or private organisations were started and with what result?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) Winter paddy was seriously damaged by floods.

(b) Yes.

(c) The sum of Rs. 1,62,000 has been distributed as agricultural loans in Gaibandha subdivision of which Rs. 1,00,550 was distributed in Shaghatta, Gaibandha and Fulchari police-stations, Government also granted Rs. 5,000 for gratuitous relief and advanced Rs. 17,000 to the District Board for test relief works.

(d) The average amount advanced was between Rs. 5 and Rs. 6.

(e) Some cases of death by starvation were reported in the Press, but on inquiry it was found that the reports were not correct.

(f) Government have advanced Rs. 17,000 to the District Board of Rangpur, which started a number of test relief works on roads. No works have been started by private organisations but they have been distributing rice and cloth.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state with reference to (c) the number of people involved and the extent of the area where paddy crops have been damaged?

The Hon'ble Sir PROVASH CHUNDER MITTER: I want notice.

Embankments at Chittagong.

***155. Haji BADI AHMED CHOWDHURY:** (a) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether the Government bears the cost of erecting and maintaining the embankments of Kutubdia, Gandamara, Haliapara and other places in the district of Chittagong?

(b) Is it a fact that the Government bears the cost of construction and maintenance of embankments at other places in Bengal?

(c) If the answer to (a) is in the negative and to (b) in the affirmative, what are the reasons for the differential treatment?

(d) Is the Hon'ble Member aware that the Noabad lands in Chittagong are subject to inundation by saline water?

(*e*) If so, is the Government considering the desirability of protecting the Noabad lands of Rajakhali, Toilang, Uzanteya, Pekua in the Chakaria police-station by embankments in future?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Government bears the cost of construction and maintenance of khas mahal embankments at certain places in Chittagong including Kutubdia and Gandamara.

(*b*) No, except in the case of schedule D embankments in khas mahals.

(*c*) The question does not arise.

(*d*) Only those Noabad lands in Chittagong which are situated near the sea, big *khals* or water channels are liable to inundation by saline water on occasion of a flood or cyclone.

(*e*) No, the Noabad lands near the sea in certain mauzas are protected by embankments constructed and maintained by Government. In other areas, by the terms of the initial settlement, the tenants are themselves responsible for embankment in case of serious damage to private embankments, Government sometimes contributes towards repairs.

Permits for forest produce in Chittagong and Cox's Bazar subdivision.

*156. **Haji BADI AHMED CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Revenue (Forest) Department be pleased to state whether the passes which used formerly to be issued to the public for the collection of house materials have been abolished recently?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state why such passes are not issued nowadays?

(*c*) Is the Hon'ble Member aware of the difficulties of the poor public in general in this matter?

(*d*) If so, is the Government considering the desirability of re-issuing such passes to the public in future?

(*e*) Is the Hon'ble Member aware that the income of the Forest Department has gradually been decreasing since the last three years?

(*f*) If the answer to clause (*e*) is in the affirmative, will the Hon'ble Member be pleased to state whether it has been ascertained that this is due to the demand of higher prices for passes resulting in the non-use of them by the public?

(*g*) Will the Hon'ble Member be pleased to lay on the table the rate-table of passes of the years 1920, 1925, 1930 and 1931?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: (*a*) Yes, with effect from the 1st April, 1930, in the Chittagong and Cox's Bazar Divisions.

(*b*) Permits for produce for "home consumption" used to be issued prior to 1st April, 1930, as a privilege. This privilege was abused as bamboos and fuel cut under these permits were found on sale in bazars. It was also found that often more than one permit was taken by a householder who took one in his own name and another in the name of his son and so on.

(*c*) No; there have been no complaints about the abolition of these permits.

(*d*) In view of reply to (*c*) this does not arise.

(*e*) There was a decrease in 1929-30 in the income of the Bengal Forest Department as a whole: figures for 1930-31 are not yet available.

(*f*) This does not arise as the Forest revenue of the Chittagong and Cox's Bazar Divisions has increased.

(*g*) Rates for permits for produce for home consumption in Chittagong and Cox's Bazar Divisions for 1920, are not available. A statement showing the rates for permits for 1925 and up to 31st March, 1930, in these two divisions, which compare with the trade rates and were introduced on the abolition of the home consumption permits on 1st April, 1930, is placed on the Library table.

Bankura Medical School.

***157. Babu SATYA KINKAR SAHANA:** Will the Hon'ble Minister in charge of the Local Self-Government (Medical) Department be pleased to state—

(*i*) the names of the 13 medical schools existing in the province on the 31st March, 1930, as mentioned in the Report on Public Instruction in Bengal;

(*ii*) the amount allotted to each school out of Rs. 2,24,848 spent over these schools from the provincial revenue; and

(*iii*) the reasons for which the Bankura Medical School has received no financial help from the Government?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*i*) It has been ascertained in consultation with the Education Department that the reference to the 13 medical schools is based on reports from departmental officers of the Education Department without verification by the Medical Department, and includes certain unrecognised institutions including one which has been involved in a prosecution under the Indian Medical

Degrees Act, 1916, while at the same time it contains certain omissions. In these circumstances Government do not think it desirable to give the appearance of recognition involved in stating the names of the institutions referred to, but will take up the question of placing the information given on a more accurate basis in future.

(*ii*) The sum of Rs. 2,24,848 represents expenditure from provincial revenues on the Campbell Medical School, Calcutta, Ronaldshay Medical School, Burdwan, Dacca Medical School, and the Lytton Medical School, Mymensingh.

(*iii*) So long as Government are involved in increasing commitments for the maintenance of State medical schools it is unlikely that funds can be made available for recurring grants for other medical schools.

Certain young "Bhadralok" youths under police surveillance in Khulna and Jessore.

***158. Babu JITENDRALAL BANNERJEE:** Is it a fact—

(*i*) that, on or about the 25th January last, several *bhadralok* young men of the Khulna and Jessore districts were arrested and put in jail at Khulna;

(*ii*) that, from time to time, these young men were produced in court, till at last, on or about the 6th of July they were finally released without any charge being framed against them; and

(*iii*) that, in spite of such release, these young men are now under a harassing form of police surveillance, and are, for all practical purposes, treated as if they were suspects as bad characters?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*) and (*ii*) Yes.

(*iii*) Yes: some of them are under surveillance.

Mr. NARENDRA KUMAR BASU: Is the Hon'ble Member aware that these young men are roused from their sleep twice or thrice every night?

The Hon'ble Mr. W. D. R. PRENTICE: No, I am not aware of it.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to inquire if this form of torture is going on?

The Hon'ble Mr. W. D. R. PRENTICE: No torture is going on.

Mr. NARENDRA KUMAR BASU: Is not the fact of being roused several times at night a form of torture?

The Hon'ble Mr. W. D. R. PRENTICE: Lots of people have got to do it.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state why some of these persons are under police surveillance?

The Hon'ble Mr. W. D. R. PRENTICE: It is at least a coincidence that since this surveillance commenced the outbreak of crime which rendered the surveillance necessary has ceased.

Sports Stadium.

*159. **Mr. RAZAUR RAHMAN KHAN:** Will the Hon'ble Member in charge of the Police Department be pleased to state—

(*a*) if he contemplates to provide an adequate sum in the next Budget for a sports stadium in Calcutta;

(*b*) if he is aware that such a stadium is Calcutta's crying need of the moment;

(*c*) if he is aware that in some of the recent football matches the number of spectators rose far above fifty thousand heads;

(*d*) if he is aware that such a stadium is bound to be paying and become a source of substantial income;

(*e*) if he is aware that recently the Hon'ble Raja Sir Manmatha Nath Ray Chaudhuri, KT., of Santosh made a proposal to the Committee of the Calcutta Football League of which he is the President, to approach Government for a stadium; and

(*f*) if Government is prepared to provide only suitable land for a stadium, if it is unwilling to build one on its own account, provided that the rest of the cost for a stadium, of a size and pattern approved by Government, is borne by private individuals, or a limited company, under such conditions as Government may think fit?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) to (*f*) A letter on the subject but containing no definite proposals as to site, etc., was received from the Honorary Secretary, Indian Football Association, on the 3rd August and is under examination. At this stage, however, Government desire to make it perfectly clear that they have no intention of building

or of providing the money or any part of it required for any stadium in Calcutta, and will only consider the question of a site for one if and when definite proposals are submitted to them by some responsible authority.

Mr. H. R. NORTON: Will the Hon'ble Member be pleased to state that Government will take into consideration the following plots of land on the *Maidan* for a stadium:—

(*a*) the plots analogous to the north-east portion of the Calcutta Racecourse including the short road between them;

(*b*) the Ellenborough Course; and

(*c*) the police ground and the Calcutta ground together?

The Hon'ble Mr. W. D. R. PRENTICE: If definite proposals regarding these areas are submitted, Government will consider them. I may point out that the Military authorities have to be consulted in the matter.

Mr. H. R. NORTON: Will the Government be pleased to state that they will appoint a committee to go into the question of a stadium for Calcutta and invite suggestions from the Indian Football Association, the Calcutta Football League and other different athletic clubs who are vitally interested in the matter?

The Hon'ble Mr. W. D. R. PRENTICE: I cannot say what will be done. On the last occasion when this matter was considered in 1922, the policy of Government then was not to initiate action but to consider definite proposals when they were submitted by responsible authorities.

Mr. H. R. NORTON: Is the Hon'ble Member aware that actually Government would not be asked for any money to build a stadium, but that if Government assured the Football authorities that a suitable site on the *Maidan* would be allotted to them, the present Committee would then get to work?

The Hon'ble Mr. W. D. R. PRENTICE: As regards the assurance of giving a plot of ground on the *Maidan*, I would refer the hon'ble member to the answer I have already given. The civil authorities cannot give such an assurance without consulting the Military authorities.

Mr. H. R. NORTON: Will the Hon'ble Member be personally against the proposal if a definite assurance is forthcoming as to the necessary funds?

The Hon'ble Mr. W. D. R. PRENTICE: The policy of Government in the past has always been to refuse any encroachments on the *Maidan*.

Mr. H. R. NORTON: If definite proposals are forthcoming, will Government lend their support to any suggestions that are put forward by the various associations?

The Hon'ble Mr. W. D. R. PRENTICE: We will consider the proposals on their merits.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to give some indication as to the authority which he considers should be consulted.

The Hon'ble Mr. W. D. R. PRENTICE: On the last occasion when the matter was considered in 1922, a suggestion was made that the matter should be taken up by the various football and other athletic clubs.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Member be pleased to state what hope there is for such a proposal if the Hon'ble Member is personally against it?

The Hon'ble Mr. W. D. R. PRENTICE: I have not said that I am personally against it.

Unstarred Questions

(answers to which were laid on the table).

Sluice-gates and locks along the Madaripur Bil Route Canal.

100. Mr. SARAT CHANDRA BAL: (*a*) Will the Hon'ble Member in charge of the Irrigation Department be pleased to state—

(*i*) the number of sluice-gates and locks constructed along the eastern bank of the Madaripur-Tentulia *bil* route canal;

(*ii*) the distance from one gate or lock to the other;

(*iii*) the reasons of constructing a bund along the eastern side and not along the western side of the *bil* route canal;

(*iv*) the places where the bund along the eastern bank of the *bil* route canal was washed away by water or destroyed by unknown persons during the last ten years; and

(*v*) the amount spent for its reconstruction?

(*b*) Is the Hon'ble Member aware that the mouth of a *khal* called Pacher Khal near Tentulia Toll office has been closed by the bund?

(*c*) Is the Hon'ble Member aware that the villages on both the sides of Pacher Khal have proved most unhealthy?

(*d*) Are the Government considering the desirability of constructing a lock or gate at the mouth of this *khal* called Pacher Khal to remove the grievances of the inhabitants of the affected area?

(*e*) Is it a fact that the water of the Kumar river entering through Balugram, Tentulia and Maharajpur *khals* keeps an area of more than 12 square miles under water throughout the year?

(*f*) Is it a fact that the cultivators of the affected area are in a starving condition for want of crops?

(*g*) Is it a fact that representations have been sent to the Government by the inhabitants of Kashiani, Muksudpur and part of Gopalganj police-stations stating their grievances?

(*h*) Is the Hon'ble Member aware that the inhabitants of the said police-stations have formed an association and are collecting subscriptions for the construction of a gate at the mouth of Balugram, Tentulia and Maharajpur *khals*?

(*i*) If the answer to clause (*h*) is in the affirmative, are the Government considering the desirability of making an inquiry into this matter and of constructing gates at the mouths of the said two *khals*?

(*j*) Has any expert opinion been obtained that artificial current in the *bil* route may be increased if two gates are constructed at the mouths of the said two *khals*?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Chuznavi): (*a*) (*i*) Fourteen locks, sluices and escapes from Tentulia to Fatepur.

(*ii*) Distance varies from ½ to 1½ miles.

(*iii*) To control the flow escaping into the southern *bils* and to divert a portion to flow down the *bil* route canal with the object of maintaining one-way current towards the Madhumati to prevent the admission into the canal of the silt-laden water of that river. Embankment along the western or northern side is not necessary and hence was not constructed.

(*iv*) 1922—Nil.

1923—In the 5th mile of Southern Embankment.

In the 12th mile of Southern Embankment.

1924—In the 6th mile of Southern Embankment.

1925—In the 4th mile of Southern Embankment.

In the 6th mile of Southern Embankment.

1926—In the 4th mile of Southern Embankment.

In the 5th mile of Southern Embankment.

In the 6th mile of Southern Embankment.

In the 7th mile of Southern Embankment.

In the embankment near Karpara.

In the 5th mile of Southern Embankment near Kansur.

1927, 1928, 1929—Nil.

1930—In the 3rd mile at Pachar Khal.

In the 6th mile at Arnakansar.

(*v*) Rs. 25,557.

(*b*) Yes.

(*c*) No.

(*d*) There is no proposal to construct a lock or gate at the mouth of Pacher Khal.

(*e*) There are some *bils*, viz., Molla Bil, Harjhara Bil, etc., which retain water throughout the year due to low bed-level.

(*f*) No.

(*g*) Not within recent years.

(*h*) No.

(*i*) Does not arise.

(*j*) No.

Extensions of service beyond 55 years of ministerial officers in Bengal Secretariat.

101. Babu HOSENI ROUT: (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state how many ministerial officers in the Secretariat and in the offices of the Heads of Departments situated in the Writers' Buildings have been granted extension of services during the current year?

(*b*) Are the Government considering the desirability of stopping extensions of service beyond 55 years of age of the officers concerned?

(c) Will the Hon'ble Member be pleased to state whether any, and if so, what action has been taken on the reference made by the Commissioner of a Division to discontinue the system of granting extension of service to officers beyond 55 years of age?

The Hon'ble Mr. A. MARR: (a) 7 in the Secretariat and 16 in the offices of Heads of Departments situated in Writers' Buildings.

(b) and (c) The matter is under the consideration of Government.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state the mode of retrenchment adopted by Government?

The Hon'ble Mr. A. MARR: We have not taken up this matter yet.

Barisal Municipality.

162. Maulvi MUHAMMAD HOSSAIN: (a) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing the assets and liabilities of the Barisal Municipality for the last ten years?

(b) Has the attention of the Hon'ble Minister been drawn to the complaints in the successive audit notes that, in spite of repeated attempts, assets and liabilities of the municipality could not be ascertained and the financial condition of the municipality was deplorable?

(c) Will the Hon'ble Minister be pleased to state whether the Government are considering the desirability of inquiring into the matter?

(d) Has the attention of Government been drawn to the audit report for the year 1927-28-29 that tenders were not generally called for works given out on contracts?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (a) A statement is laid on the Library table.

(b) The Accountant-General, Bengal, does not appear to have drawn the attention of Government to audit notes on the Barisal Municipality, but it has been ascertained that complaints of this nature have been made by the local auditors.

(c) A copy of the question will be sent to the Commissioner, with the request for a report.

(d) The reply is the same as to paragraph (b).

Jessore District Board Press.

103. Mr. K. C. RAY CHAUDHURI: (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that—

(*i*) the Jessore district board has been running a press for the last one year;

(*ii*) the press was utilised by the Chairman and his party in carrying on a propaganda during the last local board elections;

(*iii*) election manifestoes and handbills in favour of certain candidates were printed at this press?

(*b*) If the reply to the question (*ii*) is in the affirmative, will the Hon'ble Minister kindly state—

(*i*) at whose instance this printing was done;

(*ii*) the number of copies that were printed;

(*iii*) the size of the papers, etc., which were printed, and the cost, if any, that was charged for the work;

(*iv*) the cost that is charged for the same work by an ordinary private press?

(*c*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) how many district boards in Bengal have started presses of their own;

(*ii*) whether any press run by the Government or a local self-governing institution in the province has ever undertaken private work and carried on business like a private press;

(*iii*) whether any previous permission from the Government is necessary for the starting of a press; and

(*iv*) if so, whether such permission had been taken by the Jessore district board? If not, why not?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) (*i*) Yes.

(*ii*) The Chairman reports that this was not the case.

(*iii*) The Chairman reports in the affirmative. The press undertakes private work.

(*b*) (*i*) At the instance of Maulvi Serajul, Islam, B.L., Pleader, Judge's Court.

(*ii*) and (*iii*) A statement is laid on the table. (Statement A.)

(*iv*) A statement is laid on the table showing the rates of a private press, so far as could be ascertained, for similar work. (Statement B.)

(*c*) (*i*) Government have no complete information, but it is not unusual for a district board to have its own press.

(*ii*) It is believed that district board presses sometimes undertake private work, but there is no complete information. The practice in Government presses is a separate matter about which it is impossible to reply on this question.

(*iii*) No sanction seems to have been necessary under the Local Self-Government Act. It is not known whether the press was of a nature requiring to be registered under the Indian Factories Act, 1911, but it is presumed that this was not the case. The Inspector of Factories will, it is understood, verify the point in due course.

(*iv*) Does not arise.

Statement A referred to in the reply to (b) (ii) and (iii) of unstarred question No. 103.

		Rs.	a.
Item 1.	Election Manifestoes—79,500 copies of quarter foolscap size. Paper supplied by the party. Charged at annas 12 per 1,000 for 80,000 copies	60	0
Item 2.	Withdrawal of candidature form of half foolscap size—200 copies—		
	Printing charge at annas 12 per 1,000	1	8
	Paper lump sum	1	0
		2	8
Item 3.	People party pledge of half foolscap—100 copies—		
	Printing charge at Rs. 1-8 per 100 .. .. .. (Paper supplied by the party.)	1	8
Item 4.	Invitation letter of ½ foolscap size—200 copies—		
	Printing charge, lump sum .. .. .. (Paper supplied by the party.)	1	0
Item 5.	Letter for appointment of election agents—550 copies of ¼ foolscap size—		
	Printing charge, lump sum .. .. .. (Paper supplied by the party.)	3	0
Item 6.	Nomination of candidates—1,000 copies of half foolscap size—		
	Printing charge, lump sum	2	0
	Paper	2	8
		4	8
Item 7.	Voters' objection under rule 25—100 copies—		
	Printing charge	1	8
	Paper	0	8
		2	0
Item 8.	Composing charge for election programme, lump sum	7	0

Statement B referred to in the reply to (b) (iv) of unstarred question No. 103.

RATES GIVEN BY A PRIVATE PRESS.

		Rs.
Item 1.	Election Manifestoes—79,500 copies of quarter foolscap size (Paper supplied by the party.) ..	120
Item 2.	Withdrawal of candidature form of half foolscap size—200 copies ..	3
Item 3.	People party pledge of half foolscap—100 copies (Paper supplied by the party.)	2
Item 4.	Invitation letter of ¼ foolscap size—200 copies (Paper supplied by the party.)	2
Item 5.	Letter for appointment of election agents—550 copies of ¼ foolscap size .. .. (Paper supplied by the party).	2
Item 6.	Nomination of candidates—1,000 copies of half foolscap size ..	3
Item 7.	Voters' objection under rule 25—100 copies	2

Bengal (Rural) Primary Education Act.

104. Maulvi SYED JALALUDDIN HASHEMY: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state when the Government intend to give effect to the Bengal (Rural) Primary Education Act, 1930?

(*b*) Will the Hon'ble Minister be pleased to state the reason for the delay?

(*c*) Are the Government contemplating giving effect to the Act from January, 1932?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*), (*b*) and (*c*) The member is referred to the answer given to a starred question on this subject asked by Mr. Khwaja Salauddin at this meeting.

Narayanganj-Baidyerbazar Road.

105. Mr. ANANDA MOHAN PODDAR: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the Narayanganj-Baidyerbazar Road is the only road connection with Narayanganj and a very large number of important villages of the subdivision?

(*b*) Is it a fact that this road leads to the Nangalbund *mela* wher huge masses of pilgrims annually flock together from all parts o Bengal?

(*c*) Is the Hon'ble Minister aware that this road is at present in deplorable condition and requires thorough repairs and reconstruction

(*d*) Will the Hon'ble Minister be pleased to state whether th Provincial Road Board is making necessary inquiries for including th Narayanganj-Baidyerbazar Road in its programme of immediat recommendations to the Government?

(*e*) If the answer to clause (*d*) is in the negative, are the Govern ment considering the desirability of drawing attention of the said Roa Board to the necessity for the inclusion of the Narayanganj-Baidyer bazar Road in their programme of improvement?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) No.

(*b*) No. Access to the Nangalbund *mela* is stated to be by Local Board Road.

(*c*) The road requires improvement.

(*d*) No. The quinquennial programme is at present complete an there are more urgent claims to grants from the Central Road Fund

(*e*) See (*d*).

Jute cultivation.

106. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'bl Minister in charge of the Agriculture Department be pleased to stat whether the Agricultural Department has done any work to restrict th jute cultivation of Bengal in order that the cultivators might get bette price for their crops?

(*b*) If the answer to (*a*) is in the affirmative, how and to wha extent is the department successful in restricting the cultivation o jute crops and what is the amount spent by Government on such works?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: (*a*) Yes, by intensive propaganda by the distribution of leaflets, etc., among the cultivators through the agency of the President Panchayats and the Presidents of union boards.

(*b*) The member is referred to the Preliminary Forecast of the Jute Crop, 1931, a copy of which is placed on the Library table. The cost of printing the leaflets, etc., was Rs. 2,530.

Population of Bengal.

187. Babu SATYENDRA NATH ROY: Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a statement showing the total population of the province, district by district, stating separately the number of Hindus and Muhammadans?

The Hon'ble Sir PROVASH CHUNDER MITTER: A satement showing provisional figures is laid on the Library table. The final figures will be given in the Census Report.

DEMANDS FOR GRANTS.

41.—Civil Works.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, on the recommendation of His Excellency the Governor, I beg to move that a token sum of Re. 1 be granted for expenditure under the head "41.—Civil Works—Provincial" during the current financial year in order to meet the cost of contribution payable to the East Indian Railway authorities for providing an increased width of 30 feet roadway and two 8-feet cantilevered footpaths on the Chandmari Bridge on the Grand Trunk Road at Howrah, proposed to be reconstructed by the railway authorities.

The necessity for this token demand has already been explained in the printed memorandum which has been circulated.

As stated therein, it is anticipated that the sum of Rs. 59,000, which Government have to give as contribution to the railway authorities during the current year for the scheme, can be met by reappropriation from the anticipated savings in the existing grant under "41.—Civil Works—Provincial," and the Council is accordingly being asked to approve of the expenditure by means of a token grant of Re. 1.

The motion was put and agreed to.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, on the recommendation of His Excellency the Governor, I beg to move that a token sum of Re. 1 be granted for expenditure of about Rs. 5,00,000 under the minor head "Communications" (Road Fund Works) under "41.—Civil Works—Provincial," on the Ghoshpara Road in the district of the 24-Parganas which has been selected by the Bengal Road Board and approved for this purpose by the Government of India.

The necessity for this token demand has already been explained in the memorandum which has been circulated, and I have little to add to it.

As stated therein, the Government of India have sanctioned expenditure of Rs. 5 lakhs from the Central Road Fund for the construction of the Ghoshpara Road in the district of the 24-Parganas, which will ultimately form a link in communication with Krishnagar.

Expenditure during the current year is not likely to exceed Rs. 30,000 and will in all probability be found by reappropriation within the amount of Rs. 15,68,000, which has been provided in the budget for the current year for the Road Development Fund works in progress.

The supplementary demand for this project is, therefore, limited to a token grant of Re. 1.

The expenditure will not proceed against provincial revenues but will proceed against the allotment to the credit of the Bengal Government in the Central Road Fund.

The motion was put and agreed to.

43.—Famine relief.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 30,000 be granted for expenditure under the head "43.—Famine Relief" in 1931-32.

The details of this demand have been given in the accompanying memorandum, but I understand that it is the intention of the Hon'ble Revenue Member, with the permission of the Hon'ble President, to give some further details for the information of the House.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, the members of this House all know that this memorandum is dated the 7th July, 1931, and gives details of the demand now made on the basis of the estimates then available. Since that date unfortunately we have had very heavy floods in north and east Bengal, so that additional expenditure will be necessary. Government are not in a position to say just now what additional amount will be required, but there is not the slightest doubt that it will be far in excess of the demand made here. As some hon'ble members may like to have some general idea of the situation, I may inform them that of the areas affected by flood there is one tract lying on both banks of river Jamuna, another on the banks of the old bed of Brahmaputra, the third tract is near about river

Atrai and the fourth tract is in the district of Jalpaiguri. There are also other tracts in other places but the position in those places is less serious.

Maulvi SYED JALALUDDIN HASHEMY: In how many places are there floods altogether?

The Hon'ble Sir PROVASH CHUNDER MITTER: I will tell you presently. In Kurigram subdivision of Rangpur there have been severe floods in Rowmari and on the east of the Brahmaputra. Part of the *aus* crop here had been harvested and transplanted. In Fulchari *aman* is under water. There have been general floods. Jute, *aus* and *aman* crops had five feet of water. Their fate would depend on the time it took the water to subside. Part of the *aus* crop had been cut but would be spoiled if it could not be dried in time. It will probably be necessary to bring seedlings from other districts to replace transplanted *aman* which may be ruined. In Bogra on the 2nd August Brahmaputra had fallen 0·2 foot. On the 29th July, 1931, the Collector inspected the flooded area north-east of Bogra and found the outlook not so gloomy as he had expected. The level was 15 inches above highest flood level. *Aman* sown with *aus* will suffer. Transplantation of *aman* will be possible in certain areas. It appears a good deal of the *aus* had been cut. The Karatoa was also in flood. In Pabna on 27th July, 1931, the Subdivisional Officer reported that damage to standing crops was anticipated if the flood did not subside quickly. No further report was received. In Jalpaiguri the Teesta is in flood. This flooding has breached the Bengal Dooars Railway above Barnes' Ghat and flooded about four square miles. In Rajshahi the Collector reported on 1st August that latest telegraphic reports show that no serious damage had been caused by the floods in the Atrai area and that the level was falling. In Mymensingh on the 1st August the whole of Jamuna and Brahmaputra riparian areas have been affected. The level at Mymensingh was one foot four inches above previously recorded maximum of 1917. Sarishabari, Pingna and Tangain and Jamalpur to Sherpur were flooded. The Collector wires as follows:—

"If flood does not quickly subside I estimate 6 annas *aus* crop lost. Brahmaputra and Jamuna *char* areas—*aman* seed beds will be destroyed and jute harvesting impossible. Rest of district condition normal."

In Noakhali, owing to a breach in the Muhari embankment, the *aman* crop in about 75 square miles is likely to be a failure and the *aus* in about the same area is reported to have been destroyed. The breach occurred in June and steps were taken by Collector to close it but it could not be done before fresh floods arose. The Chief Engineer says this is not a Government embankment.

Sir, I would not oppose any discussion on this token cut and I am prepared to give any information that the members may require, but if a token cut is actually carried the situation will be extremely serious, because in that case we cannot go beyond the amount sanctioned by the House. I desire to state again that during the last few days the situation has become very much worse, but we are trying to do all we can in close touch with the local officers. I think that it will be necessary to spend much larger sum than what has been asked for.

The following motion was called but not moved:—

Maulvi TAMIZUDDIN KHAN: That the demand of Rs. 30,000 under the head "43.—Famine Relief" be reduced by Rs. 100 (to draw attention to the inadequacy of the demand).

Maulvi SYED JALALUDDIN HASHEMY: Sir, I have two motions standing in my name. May I have your permission to move them both together?

Mr. PRESIDENT: Yes, you may do so.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I beg to move--

(*i*) that the demand of Rs. 30,000 under the head "43.—Famine Relief" be reduced by Rs. 100 (to raise a discussion regarding the inadequacy of grant and to suggest means to cope with the famine now prevailing in the Province); and

(*ii*) that the demand of Rs. 30,000 under the head "43.—Famine Relief" be reduced by Rs. 100 (to raise a discussion regarding the serious situation that has arisen in the country by the death from starvation and suicide committed for want of provision owing to the outbreak of famine in North and East Bengal and the failure of the duty of the Government to cope with the situation).

Sir, being a lay man and not a lawyer, I should say that the Famine Code is a mystery to me. I am sure it will ever remain a mystery to me. We have heard times without number from the floor of this House that there is no famine in this land of bliss. We have at the same time heard that there is acute distress in the country. But, Sir, now we find that Government are asking for Rs. 30,000 for famine relief. By that the Hon'ble Member-in-charge admits that there is famine and for that he demands Rs. 30,000 for a province consisting of 27 districts. I think every member of this House coming from mufassal will agree with me that there is distress, acute distress, in almost all the districts of Bengal. Sir, if that amount is divided equally between each district, then each will get Rs. 1,000 and in each district there

are a thousand villages; so each village will get Re. 1 and that also includes the initial cost of relieving the famine striken people. Really I am ashamed when I find that an amount of Rs. 30,000 only is demanded for famine relief in Bengal at this time and at this stage. At least if one zero is added to this number, it would at least amount to a like sum for each district and I would even then say that this is

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insufficient. If it had been Rs. 3 lakhs I would have said at once even that was insufficient. It is a sheer waste of time and energy to emphasise that there is famine and the demand is hopelessly inadequate. Every member of this House will agree with me that the demand is inadequate. I suggest that the Hon'ble Member should accept my suggestion to increase the amount of famine grant and begin relief in right earnest. If the Hon'ble Member accepts my suggestion, and I think the members of this House agree with me, the poor people who are now suffering acute distress owing to the present distress, will get some relief. The All-India Road Board have already accepted the suggestion of the committee to make some roads in Bengal, and I am sure the Motor Vehicle Act will be passed very soon. In view of these facts if some more roads are made in the districts of Bengal Government can provide the distressed people with some work. These people are prepared to do any amount of manual labour for a few annas. In my district previously labour was very costly; one single man would demand Re. 1 per day, and this year by paying 2 or 3 annas the same labour could be had—at least I can say this about my part of the district. Now the time has come when Government should consider the matter more seriously and start some industrial works in some places in the affected districts and suggest to the Hon'ble Member that the gravity of the situation would be much minimised if mills—jute mills and cotton mills—are started in different districts headquarters of Bengal, at least some of the men may be provided there. Now it is time for Government to raise loans for these things and I think a loan of Rs. 10 or 12 lakhs for the purpose is not a very big thing for the Government of Bengal to do. I request the Hon'ble Member in charge of the Department to raise a loan of at least Rs. 10 lakhs for real and genuine relief work for the distressed people. In this connection I am constrained to say that I know the Hon'ble Member will not agree with me and I have heard it said several times on the floor of this House that Government are not prepared to admit that there is starvation; there are deaths from starvation and cases of suicide on account of unemployment. In North Bengal cases of suicide are not infrequent owing to the same cause. I may mention one particular fact which has been brought to my notice by a particular friend of mine, named Abdulla, who has written to me that in Ghoraghat in the Sadar subdivision of the district of Dinajpur two more cases of suicide have recently occurred. This

gentleman went there personally to inquire into the matter. I can give the names of the dead persons and the name of the village if it is demanded by the Hon'ble Member. I am sure if things are allowed to continue in this way in Bengal for another month or two you will no doubt get more horrible reports of deaths from starvation and suicide. It is for Government to consider the matter seriously.

Sir, with your permission I should like to mention the new situation created by the recent flood. Try to imagine for a moment the condition which will soon prevail in Bengal on account of this flood which is creating havoc all over Bengal. I have stated on many occasions in this House that flood, famine and pestilence are the fruits of British rule in India; at least these are what we are familiar with in Bengal. In Calcutta there are people who still enjoy sports, who still enjoy in cinemas and other amusements. I see every day how difficult it is becoming for the poor pedestrians to cross the streets on account of motor cars, etc. But if the Hon'ble Member cares to go to some interior parts of the districts, particularly of the Dinajpur district, he will see that people who were at one time in prosperous condition and were heads of the villages are now starving. They are not getting one meal a day and in some cases they do not get one meal in two days. Sir, it is the duty of Government to cope vigorously with the situation. Only yesterday the House granted an expenditure of Rs. 5,15,000 for additional police force to cope with the present political situation in Bengal. Is it not a part of the duty of Government to cope with the situation created by flood and distress? I ask very seriously which situation is more dangerous, which situation is more terrible in comparison with the unfortunate incident that happened very recently. These are the causes which are gradually bringing disaffection towards the present Government. These are the causes of disaffection and this disaffection will continue to multiply if things are allowed to go on in this way. People are dying and the Hon'ble Member says that there is no famine although there is acute distress. I cannot understand the difference between famine and acute distress. The Hon'ble Member says that there is no dearth of food grains but that there is no money in the country. But certainly the poor people are not responsible for this; the responsibility lies with Government and Government must eradicate this evil by providing money.

The poor peasants, if they go to the money-lender they will have to pay 30, 40 or 50 per cent. interest; but if Government want loan I am sure they will get it at 4, 5, 6, or 6½ per cent. interest per annum. Under the circumstances I urge upon the Hon'ble Member to raise a big loan. Rs. 30,000 will not do any good to the people because this will be swallowed up by the staff engaged to work in this behalf. By raising a big loan let Government prove that they are the real sympathisers and real protectors of the life and property of the people.

I may say that along with this famine and flood more terrorism, more dacoities and more cases of theft will come to our notice and particularly to the notice of the Hon'ble Member, and what would be the condition of Bengal in the near future one cannot really imagine. There is famine on account of the fall of prices of jute, tobacco, paddy and other things but we thought that the people would be able to make up their loss in a year or two; but again there is this flood which has aggravated the situation. I was personally associated in the relief work undertaken in the last North Bengal flood. It was proved and proved finally that these floods in Bengal were due to the railway system that has been introduced in Bengal for commercial and other interests by the exploiters of this country. Here I must add that the cause of this continued misery of the people of Bengal is this railway system in Bengal.

Sir, we do not hesitate to grant loans to big zamindars of Bengal because their condition is not good and they cannot raise money to pay to Government the revenue. Government advance money to the big zamindars under certain Acts, but I would ask the Hon'ble Member to consider the case of the poor tenants as well.

Mr. SHANTI SHEKHARESWAR RAY: Government has advanced no money to the zamindars.

Maulvi SYED JALALUDDIN HASHEMY: I can cite some definite instances. The Government of India have advanced a loan of Rs. 3,00,000 to the Nawab of Dacca; probably it is a personal loan, and I will prove later that Government are prepared to raise loans for zamindars.

Mr. SHANTI SHEKHARESWAR RAY: It is not a fact that Government was giving loan to the zamindars from Government money to pay their revenue.

Maulvi SYED JALALUDDIN HASHEMY: I do not want to enter into a controversy just at present on the subject.

(Here the member having reached his time-limit resumed his seat.)

Mr. B. C. CHATTERJEE: I congratulate my friend Mr. Jalaluddin Hashemy on the speech he has made. I am sure his speech has awakened a sympathetic response in the hearts of all of us. I am afraid, I am not acquainted with the rules which govern Sir Provash Chunder Mitter's department, but I do feel that the people of Bengal will be happy if Sir Provash will come to us with a proposal for raising a loan for alleviating the distress which is prevailing all over Bengal at present. He will be the first to admit that this amount of Rs. 30,000

is absolutely ridiculous, and will be quite inadequate to meet the demands which Government are confronted with, if Government really want to give relief to the people of Bengal. Yesterday I understand a grant of Rs. 5 lakhs was made to the police on the ground that it is essential, but surely nothing is more essential in Bengal to-day than to save the people of Bengal from starvation. Therefore I am appealing to him as the Hon'ble Member in charge of the department, and as a fellow Bengalee to rise equal to the occasion, and to make it possible for us to grant him either in the shape of a loan or of a demand a very much bigger amount than Rs. 30,000. I am handicapped by this difficulty that I do not know whether the proposal satisfies all the legal intricacies of the departmental rules which govern, as far as I can see, all the Ministers and Members, but surely, the Hon'ble Member, being a learned lawyer, having had to deal with the intricacies of law and procedure, and having had to deal with the proper method of distribution of relief surely he can steer clear of technicalities, and stand up before us and say he wants a very much bigger amount than Rs. 30,000. I am once more appealing to him along with the member who has spoken the whole lot of us to ask for a very much bigger sum.

Mr. J. N. GUPTA: I agree with Mr. B. C. Chatterjee in what he says regarding the demand. There is no doubt that the money asked for is much too small. I am one of those who voted for the grant of Rs. 5 lakhs for the police yesterday.

4-30 p.m.

Mr. Chatterjee has suggested that perhaps Government could raise a loan, but how far it is possible I do not know. I think the remedy lies in economy and retrenchment, and at the risk of being considered importunate, I would ask the Government of Bengal to fall into line with the Central Government and other provincial Governments as well as with the views of well-known publicists in India and lose no time in inaugurating a scheme of economy and retrenchment of their own accord. Sir, it is a misfortune that this House has not been able to place its views before Government, but Government are no doubt aware of the opinion of members on this side of the House.

The Hon'ble Sir PROVASH CHUNDER MITTER: On a point of order, Sir. Mr. Gupta has referred to the general question of economy, and I might point out that this matter is not included in my portfolio.

Mr. J. N. GUPTA: Sir, my point is that more money is required than he has asked for. Mr. Chatterjee suggested one way of finding money, that is by raising a loan: my suggestion is that you should obtain the money by effecting economy, and, therefore, I do not quite understand what objection the Hon'ble Member can have to my suggestion.

Mr. PRESIDENT: He has no objection to your making general remarks about effecting economies, but he was right in saying that he was not in charge of that portfolio.

Mr. J. N. GUPTA: Very well, Sir, I will not refer to that matter. I say that this matter of economy is exercising the minds of practically the whole civilized world—America, Japan, Australia, Canada, and so on. It is singularly unfortunate that this Government should stand out and not fall into line with them. Our reserves are depleted, and we are faced with the contingency of borrowing more than a crore of rupees to balance our budget. Yesterday, I pointed out that most of the recommendations of the Retrenchment Committee had not been accepted, and yet there has been no declaration on the part of Government saying that they will consider this question and initiate a scheme of retrenchment. I appeal once more, and especially to the Hon'ble the Finance Member—in fact, to His Excellency the Governor—to take this matter into consideration, as the needs of Bengal are most pressing at the present moment.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Sir, I join issue with what has fallen from my hon'ble friends Mr. B. C. Chatterjee and Mr. J. N. Gupta. I certainly think that the grant of Rs. 30,000 to meet the famine conditions prevailing in Bengal at the present moment is inadequate. It is not for us to suggest the sources from which more money may be obtained. It may be obtained, as suggested by Mr. B. C. Chatterjee, by means of a loan or by any other means, but I cannot agree with the proposal which has just been made by Mr. J. N. Gupta, viz., that we should try to economise in other departments in order to find money for the relief of distress in famine-stricken areas. Sir, there is a saying in Persian "*Ta Tiryaque as Iraque aid Marguzida Kushha shawad*" which means that by the time we obtain the remedy for Iraque the serpent bitten patient will be dead, (Ironical cheers), by the time you are able to effect retrenchments in other departments and get money from them, perhaps the necessity for giving relief will no longer exist. Therefore, what I suggest is that as our needs are imperative and urgent, you should try to get money from whatever source you can. All that we can say is that the amount of Rs. 30,000 is inadequate and should be increased.

Babu SATISH CHANDRA RAY CHOWDHURY: Sir, I feel that I have a duty in this connection, although all that could be generally said has been exhausted. I represent a district which is in the grip of famine—I am neither using a hyperbole nor any exaggerated language.

The districts of Mymensingh and Rangpur are in the grip of dire famine —I use the word "famine" advisedly, although the Hon'ble Member has sought to make a distinction between "famine" and "distress".

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, may I rise on a point of personal explanation? I never made any distinction between famine and distress. My position is absolutely clear. The remarks of Mr. Ray Chowdhury are not at all relevant to the question under discussion.

Babu SATISH CHANDRA RAY CHOWDHURY: Sir, what I was going to say is that it is no longer a question of distress but of famine—dire famine—with the demon of death and pestilence stalking over the district of Rangpur and the western portion of Mymensingh. It is not the newspaper reports alone which are responsible for the harrowing news which we get every morning, but reliable persons are coming to us every day from the famine-stricken areas with narratives of distress which are too terrible to digest and which we are unable to comprehend fully sitting comfortably, as we are, in this chamber. We have never had any such experience in the near past. The people whose homes have been flooded are taking shelter on the railway lines, on the district board roads, etc., and they are passing their days without any food or raiment. Even this morning we have reports which go to show that in certain parts of the province the conditions due to the flood are so serious, that, in all probability, deaths will follow shortly. We can quite see that when this demand was tabled, the conditions were much easier. At that time, probably, Government did not anticipate that matters would come in so short a time to such a pass. But the reports which come to us now show that if the demand was originally small, considering the then existing conditions, to-day it is absolutely ridiculous. The point is that unless immediate action is taken by Government, the position would be hopeless before long. We do not care whether the relief is given under the Famine Code or under the Agricultural Loans Act or any other statute or rule. That does not matter to us. The question of questions now is how to face the situation? The Government should, without delay, launch into action and see that the apprehended calamities are averted in time, and I would ask the Hon'ble Member in all seriousness that if he gets any reports of distress from the District Officers, he should be prepared to accept their recommendations. That is, Sir, an assurance which he must be prepared to give us. But over and above that, I would ask him to start an independent inquiry in those areas to test how far the local authorities are discharging their responsibilities. As far as my information goes, unless the local bodies, unless the different relief committees, such as the Congress committees and the Ram Krishna Mission, were hard at work, we do not know what the situation would have been to-day.

[At 4-40 p.m. the Council was adjourned for prayer and it reassembled at 4-55 p.m.]

Rai Bahadur Dr. HARIDHAN DUTT: Sir, I have a motion which has been skipped over, and you called on other members to speak.

Mr. PRESIDENT: What time would you take Rai Bahadur?

Rai Bahadur Dr. HARIDHAN DUTT: I shall not take more than two or three minutes.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, there is not much time left for the discussion of this demand. I should have required at least about 15 minutes to reply. There are only 8 minutes left. In view of the importance of a statement by Government on a question so important as this I would ask my hon'ble friend to give in so that I can speak. I would require every minute that is available.

Rai Bahadur Dr. HARIDHAN DUTT: Sir, I realize the difficulty of the Hon'ble Member, but I simply wanted to bring to your notice that I was not called upon to move my motion. And under the circumstances I do not want to press the point.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I should like to begin by saying that the position created by the recent flood on the top of the present economic depression is a serious one. The situation created by the flood is a matter for the local Government to deal with. No constitutional question is involved here, and the local Government has to find the money provided it is satisfied on the report of local officials that certain conditions prevail and certain line of action has to be taken. My hon'ble friends need not worry about how the money is to be found—be it a few thousands or a few lakhs. So far as the grant under this head is concerned, Rs. 50,000 was provided in the budget, and we ask for Rs. 30,000 on the basis of the estimate which came in on the 7th of July last. Since then, due to recent floods, the position has become very much worse, and, as I have already said in the few opening remarks, which by leave of the Chair I could make, that we have to incur much larger expenditure. We have already spent Rs. 15,000 out of this Rs. 30,000 we are asking for. The balance of Rs. 15,000 will not suffice and we shall require more money. There is no doubt about that. Maulvi Syed Jalaluddin Hashemy said that we should get a loan of Rs. 10 lakhs. We have already provided a sum of Rs. 12 lakhs by way of loan. Out of this sum of Rs. 12 lakhs, in anticipation of the Council's sanction, we have already spent nearly Rs. 9 lakhs. But my idea is that more than this Rs. 12 lakhs will be

necessary. So long as it is within the power of the provincial Government under the constitution and so long as the amount necessary for dealing with the situation created by the flood is justified by estimates made by our local officers there will be no difficulty. As regards loans under the Agricultural Loans Act or money required for giving work to people affected by flood or failure of crops there would be no difficulty either. I do not want to quarrel about words such "famine" or "distress". It seems to be a favourite idea of my friend Babu Satish Chandra Ray Chowdhury that a good deal depends as to whether the word used is "famine" or "distress". I have already explained the other day the true position. In reality to deal with the situation created by these floods very little turns on the use of the words "famine" or "distress". Mr. Ray Chowdhury and some others have no clear appreciation of the vastness of the problem created by want of cash or lack of credit. That is a separate problem altogether. I have the other day expressed my views on that subject and said that was not a problem for the local Government to solve. I know that this view is very annoying to Mr. Ray Chowdhury, but I will not quarrel with that; we are all concerned, the Council is concerned, to give relief and not use mere words so far as the flood problem is concerned. Relief for that purpose will be forthcoming but we must have estimates based on inquiry and so long Collectors and Commissioners of Divisions are satisfied, they will certainly consult local officers also, and whatever sum will be necessary to meet the situation will be given.

But there is another point I desire to emphasise. If these token cuts are passed then the House will realise that it is setting a definite limit to the powers of Government to incur expenditure within the sum so provided. Government will not be able to reappropriate or spend more than what the Council sanctions. In the meantime there is a serious situation in the country and in the position before us not only will the responsibility be the responsibility of this House but of the Government as well. It will not serve any useful purpose so far as the distressed people are concerned for Government to be in a position to say "your accredited representatives have placed you in this position". But if men die for want of food being provided the responsibility for their death will be that of the elected representatives and in spite of their action also of Government. There have been many remarks about deaths by starvation, but I have not the time to-day to go into details. Even if there were 50 deaths by starvation the position would not be as serious as it would be for want of money that will stand in the way of Government to find some work for the people afflicted by flood. Some people have very facile ideas about remedy, but I have not had any single helpful suggestion from any member here in this matter. Mr. Hashemy, who likes to pose as a friend of the poor, came forward with this brilliant suggestion; "Put up cotton mills; put up jute mills". But, Sir, he

does not consider what a long time it will take to put up these mills, and in the meantime how many men will die by starvation, if his estimates of deaths by starvation are correct? What about the jute mills that are already working in this country? Is it not a fact that they have already sent away thousands of their workmen?

[Here the Hon'ble Member reached his time-limit.]

I could not complete my speech but I would appeal to the movers to withdraw these cut motions and the House to pass my demands on the assurance that I have given.

Maulvi SYED JALALUDDIN HASHEMY: I beg, with the leave of the House, to withdraw all my motions.

The motions of Maulvi Syed Jalaluddin Hashemy were then, by leave of Council, withdrawn.

The following motions under the head "43.—Famine Relief" were not called owing to the expiry of the time-limit:—

Rai Bahadur Dr. HARIDHAN DUTT: "That the demand of Rs. 30,000 under the head '43.—Famine Relief' be reduced by Re. 1 (with a view to raise a discussion about the inadequacy of the grant)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 30,000 under the head '43.—Famine Relief' be reduced by Re. 1 (to raise a discussion regarding famine conditions in parts of the Province and the inadequacy of the amount of grant)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 30,000 under the head '43.—Famine Relief' be reduced by Re. 1 (to criticise the policy of Government for inadequate provision for the present economic distress in Chittagong)."

The motion that a sum of Rs. 30,000 be granted for expenditure under the head "43.—Famine Relief" in 1931-32 was then put and agreed to.

Loans and Advances.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that a token sum of Re. 1 be granted for expenditure of Rs. 6,00,000 under the head "Loans and Advances by Provincial Government—Class I—Loans under the Land Improvement and Agriculturists Loans Acts" in 1931-32.

This demand has been explained in the memorandum, a copy of which has been sent to all members of the House.

The motion was put and agreed to.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 2,50,000 be granted for expenditure under the head "Loans and advances by Provincial Government—Class III—Loans to Native States, landholders and notabilities" in 1931-32.

This demand has also been explained in the memorandum, a copy of which has been sent to the members of the Council.

Maulvi SYED JALALUDDIN HASHEMY: I beg to move—

(*i*) that the demand of Rs. 2,50,000 under the head "Loans and Advances by the Provincial Government—Class III—Loans to Native States, landholders and notabilities" be reduced by Rs. 2,00,000; and

(*ii*) that the demand of Rs. 2,50,000 under the head "Loans and Advances by the Provincial Government—Class III—Loans to Native States, landholders and notabilities" be reduced by Re. 1 (to raise a discussion of the conditions of the raiyats on account of the general depression and particularly the depressed condition of jute, paddy and tobacco in comparison with the landholders).

I will move these two motions without a word and not go into details. I had no mind to move these motions at all but am doing so only because I belong to the socialist group in India and therefore am bound to move them. Sir, socialism is the article of my faith. I want to abolish landlordism from Bengal, from India, nay, from the whole world. It is, therefore, only for the sake of my duty and for the sake of my faith that I move the motions.

The Hon'ble Sir PROVASH CHUNDER MITTER: I am under the impression that Mr. Hashemy is the sole representative of socialism in this House and therefore I do not think his point need be very seriously taken. The reason for this demand has been explained in the memorandum. We are not losing anything. We are borrowing at 6½ per cent. and the estate will pay 7½ per cent as interest to the Government of Bengal. Default in payment of the instalment due to the creditor in June, 1931, has been avoided with difficulty mainly by borrowing money as an advance against royalties on coal. There is danger that a default may occur in December next, and in that case the estate will be liable to sale. So if this loan be granted at this

moment the estate will get great relief. Government have satisfied themselves that the security is ample. On this and other grounds I commend my proposal to the acceptance of the House.

Maulvi SYED JALALUDDIN HASHEMY: May I ask Sir, if the poor suffering from famine and distress will get any relief out of the profit accruing from the interest?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am afraid, no. The amount will be a small one.

The motions of Maulvi Syed Jalaluddin Hashemy were then put and lost.

The motion that a sum of Rs. 2,50,000 be granted for expenditure under the head "Loans and Advances by Provincial Government—Class III—Loans to Native States, landholders and notabilities" in 1931-32 was then put and agreed to.

Prorogation.

Mr. PRESIDENT: I have it in command from His Excellency the Governor to announce that the Council stands prorogued.

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